

EXHIBIT 5

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MARYLAND
3 NORTHERN DIVISION

4 MELVIN THOMAS,

5 Plaintiff

Case No.

6 vs.

1:23-CV-03379-BAH

7 GEORGE VIGUE, ET AL,

Defendants

Pursuant to Notice, the videotaped deposition of MELVIN THOMAS was taken on Monday, August 11, 2025, commencing at 9:35 a.m., at the offices of Ballenger & Roche, LLC, 401 E. Pratt Street, Suite 2341, Baltimore, Maryland 21202 before David C. Corbin, a Registered Professional Reporter and Notary Public.

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REPORTED BY: David Corbin, RPR

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1	A P P E A R A N C E S	1	I N D E X
2	ON BEHALF OF THE PLAINTIFF:	2	Name of Witness
3	MATT BALLENGER, ESQUIRE	3	Melvin Thomas
4	Ballenger & Roche, LLC	4	Examination: Page
5	401 E. Pratt Street, Suite 2341	5	By Ms. Goo 8
6	Baltimore, Maryland 21202	6	
7	mballenger@br-lawyer.com	7	E X H I B I T S
8	ON BEHALF OF THE PLAINTIFF:	8	Exhibit 1 Complaint 12
9	BOOTH RIPKE, ESQUIRE	9	Exhibit 2 Answers to interrogatories 12
10	LARRY NATHANS, ESQUIRE	10	Exhibit 3 Letter 5/5/25 with Medical records 119
11	KERRY MULLIN	11	Exhibit 4 Inmate hearing record. Violation 161
12	Nathans & Ripke, LLP	12	date 9/26/06
13	120 E. Baltimore Street, Suite 1800	13	Exhibit 5 Hearing decision review, 8/27/08 163
14	Baltimore, Maryland 21202	14	Exhibit 6 Information report form, 11/9/11 164
15	Bripke@nathanslaw.com	15	Exhibit 7 Notice of inmate rule violation, 166
16		16	9/4/12
17		17	Exhibit 8 Notice of inmate rule violation, 167
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1	ON BEHALF OF THE DEFENDANTS:	1	6/10/18
2	CHRISTINE GOO, ESQUIRE	2	Exhibit 11 Inmate hearing record, 10/22/19 170
3	PERRY WASSERMAN, ESQUIRE	3	Exhibit 12 Inmate waiver of appearance with a 172
4	BEN GRUEN, ESQUIRE	4	Plea Agreement
5	EPHRAIM SIFF, ESQUIRE (via Zoom)	5	Exhibit 13 Motion for new trial 176
6	Nathan & Kamionski, LLP	6	Exhibit 14 Brockington Affidavit 295
7	575 S. Charles Street, Suite 402	7	
8	Baltimore, Maryland 21201	8	
9	cgoo@nklawllp.com	9	
10		10	
11	VIDEOGRAPHER: Brian Mackey	11	
12		12	
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<p>1 IT IS HEREBY STIPULATED AND AGREED that 2 the reading and signing of this deposition are not 3 waived.</p> <p>4 VIDEOPHAGER: We are going on the record 5 at 9:35 a.m. and August 11, 2025. This is 6 media unit one in the deposition of Melvin 7 Thomas in the matter of Melvin Thomas versus 8 George Vigue, et al. In the United States 9 District Court for the District of Maryland. 10 Case number 1:23-CV-03379-BAH. This deposition 11 is taking place at 401 East Pratt Street, 12 Baltimore, Maryland. My name is Brian Mackey 13 from Veritext and I'm the videographer. The 14 court reporter today is Dave Corbin from 15 Veritext. Would counsel please state their 16 appearances and affiliations for the record.</p> <p>17 MR. BALLENGER: Yes, good morning. Matt 18 Ballenger or behalf of the plaintiff.</p> <p>19 MR. RIPKE: Booth Ripke on behalf of the 20 plaintiff.</p> <p>21 MR. NATHANS: Larry Nathans on behalf of</p>	<p>1 THE WITNESS: Okay.</p> <p>2 VIDEOPHAGER: Will the reporter please 3 swear in the witness.</p> <p>4 MELVIN THOMAS, 5 duly been sworn/affirmed to tell the truth, the 6 whole truth, and nothing but the truth, testifies as 7 follows:</p> <p>8 E X A M I N A T I O N</p> <p>9 BY MS. GOO:</p> <p>10 Q. All right. Good morning, Mr. Thomas. As 11 I just stated, my name is Christine Goo. I 12 represent the officer defendants, and those are 13 Detectives Vigue, Copeland and Danielczyk in this 14 case. I'm just going to go through a couple 15 preliminary questions and ground rules with you 16 before we get started, okay?</p> <p>17 A. Okay.</p> <p>18 Q. So the first thing is I just want to make 19 sure that you are in a capacity to take your 20 deposition this morning. So the questions I ask you 21 are not meant to embarrass you in any way, it's just</p>
<p>1 the plaintiff.</p> <p>2 MS. MULLIN: Kerry Mullin on behalf of 3 plaintiff.</p> <p>4 MS. GOO: Christine Goo with Nathan 5 Kamionski on behalf of the defendants.</p> <p>6 MR. WASSERMAN: Good morning. My name is 7 Perry Wasserman with Nathan Kamionski on behalf 8 of defendant officers.</p> <p>9 MR. GRUEN: Ben Gruen also with Nathan 10 Kamionski on behalf of defendant officers.</p> <p>11 MR. WASSERMAN: And we have Mr. Ephraim 12 Siff with Nathan Kamionski --</p> <p>13 THE WITNESS: What did you say again.</p> <p>14 MR. WASSERMAN: I'm sorry.</p> <p>15 THE WITNESS: I didn't hear what you said.</p> <p>16 MR. WASSERMAN: Let me just introduce our 17 counsel on Zoom. His name is Ephraim Siff, 18 S-I-F-F, with Nathan and Kamionski on behalf of 19 officer defendants. My name is Perry 20 Wasserman. I'm an attorney representing the 21 defendant officers.</p>	<p>1 to make sure that you're thinking clear minded and 2 you're able to testify in a capacity that would be 3 acceptable for the court, okay?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. So the first question is have you taken 6 any medications this morning?</p> <p>7 A. No.</p> <p>8 Q. Okay. Are there any medications that you 9 typically take that you did not take this morning 10 that would somehow affect your ability to testify 11 this morning?</p> <p>12 A. No.</p> <p>13 Q. Okay. And are you thinking clear headed 14 this morning as well?</p> <p>15 A. Yes.</p> <p>16 Q. Have you ever had your deposition taken 17 before?</p> <p>18 A. No.</p> <p>19 Q. And just to go over some basic ground 20 rules, I obviously have a number of questions 21 related to the lawsuit that you have brought with</p>
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<p>1 your attorneys. There are objections that may come 2 from your attorneys, and I would encourage you to 3 pause if that's the case. Unless instructed you are 4 not to answer, you may answer the question even if 5 there is an objection. You are invited to let me 6 know if my question is unclear. Attorneys often ask 7 questions that are not the easiest to understand, so 8 if you don't understand a question, just say I'm not 9 sure I understand it, could you ask it differently, 10 and I'll try to rephrase my question in a way that 11 you can understand exactly what the question is. 12 Because we have a court reporter here today, and 13 this is probably the most important thing, court 14 reporter seated to your right to my left, it's 15 really important for him to get everything that 16 we're saying today. So sometimes you may want to 17 talk over me because you're anxious to answer a 18 question. I will also have to be mindful of letting 19 you finish your answer because we need to have a 20 clear record. Please wait until I finish asking my 21 questions until you start to answer it, okay?</p>	<p>1 can answer if you can. 2 A. Can you say that again? 3 Q. So the complaint -- actually if I could 4 get a copy of that, please. Showing this to 5 Plaintiff's counsel as Exhibit 1. 6 (Deposition Exhibit 1 marked.) 7 MR. BALLENGER: Okay. 8 Q. Mr. Thomas, there is -- this is the 9 complaint that was filed in this case on your 10 behalf. There are a number of factual allegations 11 and claims against the police officers in this case. 12 My question to you is do you adopt the facts as they 13 are there stated and the claims that were made in 14 the case? 15 A. Yes. 16 MR. BALLENGER: Same objection. Go ahead. 17 A. Yes. 18 Q. Okay. And there were a set of answers to 19 interrogatories that were filed on June the 17th of 20 2025. 21 (Deposition Exhibit 2 marked.)</p>
<p>1 A. Okay. 2 Q. In terms of breaks, this is something I 3 mentioned to you before we came on the record, 4 we can take a break at any time. I just ask if 5 there is a question pending you answer the question 6 first and then we can take a break. 7 A. Okay. 8 Q. Understood. Okay. So could you please 9 state your full name for the record? 10 A. Yes. Melvin William Thomas, Junior. 11 Q. And I'm sorry, was there a middle name? 12 A. William. 13 Q. William, sorry, I didn't hear you. And do 14 you go by any nick names, Mr. Thomas? 15 A. No. 16 Q. Do you -- there was a complaint filed in 17 this case with a number of claims and allegations. 18 Do you adopt everything that was written in the 19 complaint? 20 MR. BALLENGER: I'm just going to object. 21 There is a lot of legal stuff in there. You</p>	<p>1 Q. Showing it to counsel. Okay. So I'm just 2 going to show you the first page and then direct 3 your attention to the last page. Sorry, the second 4 to last page of it on page 18. So if you could just 5 take a look at this first. And if I could direct 6 your attention to page 18. And do you see a 7 signature there on page 18? 8 A. Yes. 9 Q. Okay. And above your signature it says 10 that you swear and affirm under the penalties of 11 perjury that the foregoing is true and correct to 12 the best of my knowledge, information and belief; is 13 that correct? 14 A. Yes, ma'am. 15 Q. Okay. And do you adopt the answers that 16 were provided in those interrogatories in Exhibit 2? 17 MR. BALLENGER: Objection. Same thing 18 about legal content, but you can answer. 19 A. Yes. 20 Q. Okay. And do you swear to the truth of 21 the answers provided in that document?</p>

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1 MR. BALLENGER: Same objection. You can 2 answer.	1 of the complaint that was again filed on your behalf 2 because of your claim that you were not the 3 perpetrator in Myron Brockington's shooting back in 4 2001; is that right?
3 A. I don't -- I mean I haven't -- you want me 4 to read through all this?	5 A. Yes.
5 Q. If you want to just take a moment to look 6 at it, by all means.	6 Q. And you got to speak up.
7 A. I don't -- Dewey Morgan, his statement 8 don't seem full. Understand what I'm saying? Dewey 9 Morgan it says everything but -- he actually 10 witnessed the shooting.	7 A. Yes.
11 MR. BALLENGER: Where are you at, page 12 three?	8 Q. Okay. Who is the real shooter?
13 A. Page three. Like he watched him shoot 14 that boy.	9 A. I don't know.
15 MR. BALLENGER: Okay.	10 Q. You don't know?
16 A. So that's something may be incomplete.	11 A. No.
17 Q. So Mr. Thomas, your correction to 18 interrogatory answer number one is that Dewey Morgan 19 actually observed the shooting?	12 Q. So you have no information about who -- 13 any identifying information for this person?
20 A. Yes.	14 A. I mean information.
21 Q. Okay.	15 Q. Okay. And what is the information that 16 you have about that person?
Page 15	
1 A. He did. According to him. He watched the 2 argument. Then when he was going into the house, 3 the shooting -- he heard the shots and he said he 4 looked out the door or the window to witness the 5 shooter shooting at Myron. And he seen him put up 6 his hands, seen him run down the alley was his full 7 statement.	1 Q. I just wanted to make sure I have that 2 right. Do you know Namey's true identity?
8 Q. Mr. Thomas, I see that you put the 9 document down. Have you had a sufficient chance to 10 review Exhibit 2, the answers to the 11 interrogatories?	3 A. Well, according to an investigation that 4 my lawyer done after trial, he said his name was, I 5 mean, Charles Floyd.
12 A. Yes.	6 Q. And which attorney was that?
13 Q. And had you had an opportunity to review 14 this previously?	7 A. Lyle Jones.
15 A. Yes.	8 Q. Lyle Jones?
16 Q. Okay. And you signed the statement below 17 on page 18 because you are swearing under and 18 affirming under the penalties of perjury that it is 19 true and correct to the best of your knowledge?	9 A. Yes.
20 A. Yes.	10 Q. Okay. Have you ever met Charles Floyd?
21 Q. Okay. So Mr. Thomas, we are here because	11 A. I didn't know him as Charles Floyd.
Page 17	
	12 Q. You knew him as Namey?
	13 A. Yes.
	14 Q. How did you encounter him?
	15 A. I mean we was -- he was around the same
	16 neighborhood that I grew up in.
	17 Q. Okay. Do you know where he lived?
	18 A. No.
	19 Q. What neighborhood was that?
	20 A. Perkins Projects.
	21 Q. Where in Perkins. Where in Perkins?

Page 18	Page 20
1 A. I don't understand the question.	1 recall what your SID number was when you were in
2 Q. So you said in Perkins Projects. Perkins	2 jail?
3 Projects is a pretty big area in East Baltimore. Is	3 A. My SID number?
4 there a particular street, block that you're	4 Q. Yes.
5 referring to when you say Perkins Projects?	5 A. No.
6 A. No.	6 Q. You don't remember what it was?
7 Q. Do you know exactly where he lived, which	7 A. No.
8 block?	8 Q. And how did you find out about the
9 A. I didn't -- I never said he lived down	9 identity of Namey. Because I mean you said that you
10 there. I said he was hanging out there.	10 heard it from some folks. How did you learn that?
11 Q. He was hanging around there?	11 A. That's what they called him.
12 A. Yeah.	12 Q. How did you find out that Namey was the
13 Q. So you saw him in the area?	13 person that did the shooting of Myron Brockington?
14 A. Sometimes.	14 A. I can't say that -- that he did the
15 Q. But is that what you're saying, you saw	15 shooting. I mean that's what allegedly was said. I
16 him in Perkins Projects on occasion?	16 wasn't there.
17 A. On occasion.	17 Q. I understand that. How did you learn that
18 Q. And what period of time was it that you	18 rumor, that information, that he's the one who
19 saw him in Perkins Projects?	19 supposedly did it?
20 A. Probably from some years, from my teenage	20 A. Word on the street.
21 years.	21 Q. Okay. So word on the street. Who did you
Page 19	Page 21
1 Q. Your teenage years?	1 hear it from?
2 A. Yeah.	2 A. People.
3 Q. And just to get a frame of reference, in	3 Q. Who are the people you heard it from?
4 terms of the time period, what year were you born?	4 A. I don't recall.
5 A. In '80.	5 Q. You don't recall who you heard it from?
6 Q. 1980?	6 A. I mean there was people I guess.
7 A. Yes, ma'am.	7 Q. Can you recall the name of one person who
8 Q. So that would have been in the 90's that	8 shared this information with you?
9 you saw him in Perkins Projects?	9 A. My so-called co-defendant.
10 A. Yeah, in the 90's.	10 Q. And who is that?
11 Q. Did you -- when you saw him, what was he	11 A. Donte Lyle.
12 doing. Was he just hanging out with people, was he	12 Q. So Namey is somebody who -- actually,
13 visiting relatives, or was he engaging in any type	13 strike that. Have you ever had a conversation with
14 of illegal conduct?	14 Namey?
15 A. I don't know. I mean when I used to see	15 A. Like ever?
16 him it was basically just -- I seen him, like I	16 Q. Yes, ever.
17 don't know what he was doing.	17 A. Yeah, I had a conversation with him
18 Q. Was he, you know, dealing drugs on the	18 before.
19 corner, anything like that?	19 Q. When did the two of you have a
20 A. I wouldn't know.	20 conversation?
21 Q. Okay. And Mr. -- Mr. Thomas, do you	21 A. I don't know.

Page 22	Page 24
1 Q. Was it while you were on the street or in 2 jail? 3 A. Oh, it was definitely on the street. 4 Q. Was it before or after you served time for 5 Mr. Brockington's shooting? 6 A. Before. 7 Q. Okay. So possibly during the 90's, during 8 that period of time? 9 A. Yes. 10 Q. Do you have -- are any of your friends, 11 associates, do you know if any of them had a 12 relationship with Namey? 13 A. Yes. 14 Q. Okay. And who of them are friends or 15 associates with Namey? 16 A. Cousins that I seen hanging -- him hanging 17 with. 18 Q. What are the names of those cousins? 19 A. Specifically Larnell Ellis. 20 Q. Larnell Ellis? 21 A. Yeah.	1 A. Yes. 2 Q. And did you hear -- did you call him 3 Larnell or Tyreke? 4 A. Tyreke. 5 Q. Do you call -- did Tyreke ever say to you 6 that Namey is the one who shot Brockington? 7 A. No. 8 Q. Did you ever pass this information along 9 to law enforcement about the rumor of this being -- 10 the information that this was Namey who did the 11 shooting? 12 A. I didn't even know about the -- a lot of 13 the information before the case until after trial. 14 Q. When did you learn of this information to 15 the best of your recollection? 16 A. When my lawyer did an investigation after 17 I was convicted. 18 Q. And this was Lyle Jones? 19 A. Yes. 20 Q. So your trial occurred in early 21 December 2001, does that sound right?
Page 23	Page 25
1 Q. Does he go by any other name other than 2 Larnell Ellis? 3 A. Yes. 4 Q. And what is that name? 5 A. Tyreke. 6 Q. And how does Tyreke, Tyreke Ellis, Larnell 7 Ellis, know Namey? 8 A. Well, they are cousins. 9 Q. They are blood relatives? 10 A. I believe so. On his other side of the 11 family. At least that's what he says. 12 Q. That's what who said? 13 A. They said. Them two. 14 Q. So did you hear that from Namey? 15 A. I mean they was calling each other 16 cousins. 17 Q. You heard Namey call Ellis cousins, 18 cousin? 19 A. They both used to say that. 20 Q. And you heard Tyreke call Namey cousin as 21 well?	1 A. Sound right. 2 Q. Okay. You were convicted on December 6 of 3 2001? 4 A. Yes. 5 Q. And you were sentenced on April 8th of 6 2002; is that right? 7 A. That sounds correct. 8 Q. And in a motion for new trial on April the 9 8th, 2002, your attorney at that point had filed a 10 motion and raised some issues related to Namey at 11 that point; is that right? 12 A. That sounds about correct. 13 Q. Okay. So is that the investigation that 14 you're talking about then, you didn't learn about it 15 until after trial? 16 A. Right. 17 Q. Now, do you know whether or not Lyle Jones 18 brought this information to again law enforcement 19 letting them know that they had the wrong person? 20 A. To my recollection, in the motion to the 21 new trial, I believe he took it to the States

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1 Attorney.	1 Q. Did you do that in the weeks leading up to
2 Q. So Mr. Thomas, I'm going to direct you to	2 the deposition today?
3 interrogatory number 21 in your answer. So it's the	3 A. Some. Not really. I got it in my brain.
4 document right in front of you. Number 21 is on	4 Q. So what did you review to prepare for
5 page 17. Let me know when you're at interrogatory	5 today?
6 21?	6 A. Nothing.
7 A. Seventeen?	7 Q. We're going to go document by document.
8 Q. Page 17, yes. Okay. So interrogatory 21	8 A. Nothing really.
9 it says "state the name of the individual and that	9 Q. You say nothing really but you said there
10 person's address or last known address whom you	10 was a couple of things that you have reviewed?
11 contend shot Myron Brockington on February 26,	11 A. Yeah, things that me and my lawyers went
12 2001." The answer says "other than the nick name	12 over.
13 Namey, plaintiff does not have this information."	13 MR. BALLENGER: I'm going to object. You
14 But your testimony this morning is that you did know	14 don't need to tell her about anything you spoke
15 that this person -- person's name is Charles Floyd?	15 with or anything with your lawyers, that's
16 A. No. I said that -- yeah, I know him as	16 attorney client privilege. In fact even asking
17 Namey. I didn't know about Charles Floyd until my	17 him which specifics is probably attorney
18 lawyer brought that to my attention.	18 client. I'm giving you some leeway here on
19 Q. And that was Lyle Jones?	19 that.
20 A. Yes.	20 MS. GOO: All right. In terms of
21 Q. And that was back in 2002?	21 documents that he reviewed?
Page 27	Page 29
1 A. Yes.	1 MR. BALLENGER: Uh-huh.
2 Q. Okay. And this was signed on June the	2 Q. Were there any trial transcripts that you
3 17th of 2025, which you would agree with me is well	3 looked at?
4 after April of 2002, correct?	4 A. Trial transcripts?
5 A. Correct.	5 Q. Uh-huh.
6 Q. Okay. And is there any reason why you	6 MR. BALLENGER: Just for clarification,
7 didn't provide that information in response to	7 I'm not making an objection, but I'm a little
8 interrogatory number 21 about Charles Floyd?	8 concerned because he's been reviewing documents
9 A. Because I know him as Namey.	9 since he was in jail. So can you give a little
10 Q. But you also know that his name is Charles	10 bit of a timeframe in terms of what your...
11 Floyd; isn't that right?	11 Q. So since your deposition was noted for
12 A. I mean that ain't what I know him as.	12 today, so for the last -- we'll call it for the last
13 Q. And you also knew that he was at least	13 month, have you reviewed any of the trial
14 around the area of Perkins Homes back in the 90's,	14 transcripts in your case?
15 correct?	15 A. Some.
16 A. Yes.	16 Q. Some. Okay. Were there particular dates
17 Q. All right. Mr. Thomas, in preparation for	17 or witness's testimonies that you reviewed?
18 this deposition today did you review any documents,	18 A. I don't recall.
19 case filings, transcripts, anything like that prior	19 Q. Okay. Did you review any of the police
20 to your testimony today?	20 reports in your case -- in preparing for your
21 A. You mean today did I do that?	21 deposition today?

	Page 30	Page 32
1	A. Police reports? Maybe.	1 A. Where I reside at.
2	Q. Maybe. Okay. And if I ask you what	2 Q. Okay. And with whom did you reside there
3	reports those are, do you recall what they are?	3 with?
4	A. Not by you asking me, no.	4 A. Myself.
5	Q. Okay. While you were -- I'll ask this	5 Q. Okay. Do you have any siblings?
6	question differently. So have you kept your own	6 A. Yes.
7	files related to this -- to your case?	7 Q. And what are the names and ages of your
8	A. Yes.	8 siblings?
9	Q. So you have an existing set of files now?	9 A. Blake and Mildred Thomas.
10	A. Yes.	10 Q. Are those your only two siblings?
11	Q. Okay. And is that something that you keep	11 A. Yes.
12	at home?	12 Q. Okay. And how old is Blake?
13	A. Yes.	13 A. He a year younger than me. So he will be
14	Q. Okay. And when you were in jail, did you	14 going on 44, I believe.
15	also keep files related to this case?	15 Q. And how old is Mildred?
16	A. Yes.	16 A. A year younger than him, so she may be
17	Q. How long had you been keeping files for	17 going on 43.
18	related to this case?	18 Q. Do you have children?
19	A. Since I've been collecting them since my	19 A. Yes, one.
20	incarceration.	20 Q. One. And how old is your child?
21	Q. So since, we will call it, 2001?	21 A. Twenty-three.
	Page 31	Page 33
1	A. Yes.	1 Q. And what is her name?
2	Q. Mr. Thomas, where do you currently live?	2 A. Melajah Thomas.
3	A. 719 North Carrollton Avenue.	3 Q. Melajah Thomas?
4	Q. How long have you been living there for?	4 A. M-E-L-J-A -- I mean M-E-L-A-J-A-H.
5	A. Almost going on four years.	5 Q. And do you have any grandchildren?
6	Q. Is that where you have resided since you	6 A. No.
7	got out?	7 Q. Are you currently employed?
8	A. No.	8 A. Yes.
9	Q. Where did you first reside when you got	9 Q. Where are you employed?
10	out of jail?	10 A. Well, I have a food truck and I have a
11	A. Dundalk.	11 clothing company.
12	Q. Dundalk?	12 Q. You said it was a food truck?
13	A. Yes.	13 A. Yes.
14	Q. Do you recall the address?	14 Q. What kind of food?
15	A. I know it's Kelmore Road. I don't recall	15 A. Halal.
16	the address.	16 Q. Halal?
17	Q. How do you spell Kelmore?	17 A. Yeah.
18	A. K-E-L-M-O-R-E.	18 Q. And how often do you operate the truck?
19	Q. And how long did you stay there for?	19 A. I don't operate it never.
20	A. Almost a year.	20 Q. Sorry.
21	Q. And after that where did you go to?	21 A. I don't operate it never. I have

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1 employees for that.	1 that.
2 Q. You have employees for that. How many	2 Q. And presumably there is some type of
3 food trucks do you have?	3 cooking prep that needs to be done in advance?
4 A. One.	4 A. Yes.
5 Q. And how often does the food truck do	5 Q. Okay. And is he getting paid for that or
6 business?	6 is that part of the whole?
7 A. Daily.	7 A. No, different employees get paid for
8 Q. Daily. Sunday through Saturday?	8 different things.
9 A. Sunday through Saturday.	9 Q. So it just -- you said -- sorry, how many
10 Q. Sunday through Saturday. How many hours?	10 employees do you have?
11 A. Unless -- unless there is an event on a	11 A. I don't -- I can't say how many employees
12 Sunday.	12 I have because he rotates them. I don't do none of
13 Q. So Sundays they have the days off. Is it	13 that. I'm just owner, investor.
14 six days a week they operate?	14 Q. Okay. So he has -- he's the one who is
15 A. Yeah, unless there is an event.	15 running the truck?
16 Q. And when did you -- so do you own the food	16 A. Right.
17 truck?	17 Q. Okay. And then he employs other people?
18 A. Yes.	18 A. To work the truck.
19 Q. When did you buy the food truck?	19 Q. Work the truck?
20 A. About three years ago.	20 A. Right.
21 Q. How did that opportunity present itself to	21 Q. Is he responsible for paying them?
Page 35	Page 37
1 you?	1 A. Yeah. The company is responsible for
2 A. I have a -- my partner, he owns	2 paying them.
3 restaurants and food trucks, and he gave me the	3 Q. There's a company that's responsible?
4 opportunity to buy into it.	4 A. Yes.
5 Q. And how much did the food truck cost?	5 Q. So do you pay them to manage the food
6 A. I think I paid 70 grand for that food	6 truck for you?
7 truck.	7 A. Right.
8 Q. And how much do you pay your one employee	8 Q. Okay. And how much -- so you give him
9 to run the truck. Like on -- does he get paid a	9 \$1,000 a week?
10 salary or is it like daily --	10 A. Or them.
11 A. Yeah, he gets paid a salary.	11 Q. Them?
12 Q. And how much is he paid?	12 A. Yes.
13 A. Thousand dollars a week.	13 Q. And then they deal with payroll for other
14 Q. And how many hours during the day does he	14 employees and all of that?
15 work?	15 A. No, we got an accountant that deals with
16 A. I don't know.	16 payroll and all that.
17 Q. So does -- I mean is it like an eight hour	17 Q. Okay. So I guess how much are you
18 job, is it like a three hour job. I mean just to	18 spending on that company per week for like running
19 get some idea?	19 it, accountant, whoever the employees are. How much
20 A. It's around -- they go out around 9:30,	20 is that per week?
21 10:00 and they return around 4:00, something like	21 MR. BALLENGER: I'm going to object at

Page 38	Page 40
1 this time. Where is the relevance.	1 idea. Do you work with other companies with
2 A. Right.	2 embroidery?
3 MR. BALLENGER: You're asking about the	3 A. No. I mean --
4 details of the business that --	4 Q. How does it work?
5 MS. GOO: We're just trying to	5 A. What do you mean work with other
6 understand -- we're just trying to understand	6 companies? Like we can do something, like if say
7 damages and what his earning is at this point	7 you had a -- you started a company and you needed
8 in time.	8 shirts made with names or something like that,
9 MR. BALLENGER: I understand that. But	9 we can do that for you.
10 asking him the details about how -- details of	10 Q. So people will come to you and say we need
11 the business being run doesn't get you there.	11 X, Y, Z things embroidered; is that right?
12 MS. GOO: I'm just trying to understand	12 A. Yes, yes.
13 how the business is run --	13 Q. How much do you get paid on a monthly
14 MR. BALLENGER: I'm going to let you go a	14 basis from that company?
15 little bit longer but that's getting a little	15 A. That's up and down. I don't -- I would
16 bit in the weeds. Go ahead, answer to the best	16 have to check my books.
17 you can.	17 Q. Okay. What is the name of that company?
18 Q. So just on a monthly basis how much money	18 A. Divine Minds, LLC.
19 are you spending on the food truck business. I	19 Q. Divine Minds, LLC?
20 think that's the best way I can ask that question.	20 A. Yes.
21 A. I don't know. I got to look at my books.	21 Q. Do you have any idea of what you grossed
Page 39	Page 41
1 Q. You don't know?	1 last year?
2 A. No.	2 A. No.
3 Q. Okay. What is the name of the company?	3 Q. This year to date?
4 A. Shareef's.	4 A. I would have to check my books.
5 Q. And the last question I have related to	5 Q. And all of the -- actually, strike that.
6 this is that this -- do you own a franchise as a	6 So when you report your taxes, are you reporting
7 part of Shareef's or Shareef's your company?	7 1099's, K-1's. How are you reporting this. I'm
8 A. No, I own 50 percent of the actual	8 just trying to figure out how you're paid between
9 business of the truck.	9 your two businesses?
10 Q. Okay. Now, you mentioned that you also	10 A. Well, my cousin and my other partner, they
11 run a clothing company?	11 take care of taxes and all that. But I file -- I
12 A. I do.	12 don't -- I don't know the exact what you -- that
13 Q. And could you just talk to us briefly	13 1019 or that what you are talking about, I just know
14 about what your involvement is with the clothing	14 that when I get my forms I get them dealt with
15 company?	15 through the people who do -- people to do my taxes,
16 A. Well, me and my cousin, we founded a	16 that's that.
17 clothing brand name and we embroider, we do	17 Q. Do you get paid on a monthly basis, weekly
18 embroidery.	18 basis, quarterly?
19 Q. You do embroidery?	19 A. Depends. I mean, you know, money go
20 A. Yes.	20 directly into an account. You know, I may take it
21 Q. So, again, I'm just trying to get some	21 out monthly, it's up to me.

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1 Q. And do you know how much money you made 2 last year? 3 A. No. I have to look at my books. 4 Q. And are you in a relationship now? 5 A. No. 6 Q. The next set of questions are going to be 7 related to your mental and physical health. Again, 8 because of some of the claims that you've made in 9 this case, I'm asking these questions just to assess 10 like your current mental and physical health. For 11 that purpose, and I'm saying that right now because 12 I'm asking these questions not to embarrass you in 13 any way but just because it's relevant to your 14 claims. So the first set of questions have to do 15 with your mental health. Have you ever had, in your 16 entire life, have you ever had any type of 17 psychological or psychiatric testing? 18 A. Yes. 19 Q. And when was that for. Or when was that? 20 A. They do it when you're in prison. And I 21 had it done when I was home.	1 Q. You don't recall if it was like an 2 as-needed thing or if it was just -- 3 A. Like I know they do it when you first come 4 in. And then, you know, any time after that you 5 have to request it or something like that. 6 Q. So you know that you received it at least 7 once when -- 8 A. At least. 9 Q. When you were first admitted? 10 A. At least. 11 Q. And were you ever diagnosed with any type 12 of psychiatric or psychological disorder? 13 A. Yes. 14 Q. And what was that for? 15 A. PTSD. ADHD. 16 Q. Anything else? 17 A. No. 18 Q. For the PTSD, do you recall what year it 19 was that you received that diagnosis? 20 A. Approximately like three years ago. 21 Maybe. When I first came home, yeah.
Page 43	Page 45
1 Q. When you were at home? 2 A. When I first came home, yeah. 3 Q. Prior to your time at the DOC from 2001 4 until you got out in, I believe it was about 2020, 5 prior to that, did you go to any type of 6 psychological or psychiatric testing? 7 A. Prior to prison? 8 Q. Yes. 9 A. I can't recall. 10 Q. Okay. And you said in the Department of 11 Corrections you would receive testing on some type 12 of routine basis. How often did that occur? 13 MR. BALLENGER: I object. I'm not sure he 14 used that term. 15 A. I did not say that. 16 Q. Okay. What was it you said in terms of 17 how often you received psychiatric testing? 18 A. I didn't say. I said I received 19 psychiatric testing. 20 Q. How often did you receive it? 21 A. I don't recall.	1 Q. Was that a diagnosis that you received 2 after you had left the DOC? 3 A. Yes. 4 Q. Okay. And as a result of that diagnosis, 5 did you receive any treatment from either a 6 psychologist or psychiatrist? 7 A. Yes. 8 Q. And who was the psychologist or 9 psychiatrist that treated you? 10 A. I know his last name is Fabian. I can't 11 recall his first name. 12 Q. Do you recall if he was a psychologist or 13 psychiatrist? 14 A. Psychologist. 15 Q. Did you receive any type of medication as 16 a result of the treatment? 17 A. I refused the medications. I mean it 18 wasn't no medication prescribed for PTSD. I mean... 19 Q. Was it Stephen Fabius. 20 A. Stephen Fabius, yes. 21 Q. You mentioned that you refused some type

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<p>1 of medication?</p> <p>2 A. I didn't mean to say that. I meant to say</p> <p>3 I don't recall even medication being recommended for</p> <p>4 my PTSD.</p> <p>5 Q. For the ADHD, when did you receive that</p> <p>6 diagnosis?</p> <p>7 A. I received that young.</p> <p>8 Q. Young?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. So was that a diagnosis where you</p> <p>11 received before going into the DOC in 2001?</p> <p>12 A. Yes.</p> <p>13 Q. Were you -- did you receive any treatment</p> <p>14 for the ADHD?</p> <p>15 A. No.</p> <p>16 Q. Were you prescribed medication or told to</p> <p>17 take medication as a result of that diagnosis?</p> <p>18 A. I don't recall was I -- I don't recall</p> <p>19 whether or not medication was recommended, but I</p> <p>20 don't -- my mother didn't allow me to take no</p> <p>21 medication.</p>	<p>1 I know that he diagnosed me with PTSD.</p> <p>2 Q. Okay. Did you receive any -- did he</p> <p>3 prescribe for you any medication related to ADHD?</p> <p>4 A. No. No. Yes, he did. Vyvanse, now I can</p> <p>5 recall. Yes.</p> <p>6 MR. BALLENGER: Sorry, what was that?</p> <p>7 A. Vyvanse, a focus -- supposedly keep you</p> <p>8 focused.</p> <p>9 Q. Are you taking that medication?</p> <p>10 A. No.</p> <p>11 Q. Had you ever taken it?</p> <p>12 A. Yes.</p> <p>13 Q. And how long did you take that for?</p> <p>14 A. Not too long. I didn't like the side</p> <p>15 effects.</p> <p>16 Q. So other than the PTSD and ADHD, have you</p> <p>17 been diagnosed with any other type of psychological</p> <p>18 or psychiatric disorder?</p> <p>19 A. No.</p> <p>20 Q. And to the best of your knowledge is</p> <p>21 Stephen Fabius the only person you've seen since</p>
Page 47	Page 49
<p>1 Q. So you didn't take any medication if it</p> <p>2 was prescribed to you for the ADHD?</p> <p>3 A. Right.</p> <p>4 Q. And since that period of time did you</p> <p>5 ever -- were you ever again subsequently diagnosed</p> <p>6 with ADHD?</p> <p>7 A. What you mean subsequently?</p> <p>8 Q. So when you were diagnosed with PTSD and a</p> <p>9 psychiatrist visited with you, I guess Doctor</p> <p>10 Fabius --</p> <p>11 MR. BALLENGER: I think he said a</p> <p>12 psychologist.</p> <p>13 Q. Sorry, psychologist. When you were</p> <p>14 diagnosed with that after you got into the DOC, did</p> <p>15 the ADHD come back -- come up again?</p> <p>16 A. I brought it up.</p> <p>17 Q. You brought it up?</p> <p>18 A. Correct.</p> <p>19 Q. Did he diagnose it with you in the 2020 to</p> <p>20 2025 period of time?</p> <p>21 A. I don't recall if he re-diagnosed me, but</p>	<p>1 leaving DOC that's a mental health professional?</p> <p>2 A. Yes.</p> <p>3 Q. And have you been to a -- like a primary</p> <p>4 care provider since you have left the Department of</p> <p>5 Corrections?</p> <p>6 A. Yes.</p> <p>7 Q. Have you been diagnosed with any physical</p> <p>8 conditions, ailments, that type of thing since</p> <p>9 leaving DOC?</p> <p>10 A. Physical ailments. Briefly high blood</p> <p>11 pressure, but then I got that in order.</p> <p>12 Q. How did you get that in order?</p> <p>13 A. According to them, my high blood pressure</p> <p>14 was self-induced.</p> <p>15 Q. Did you -- how did you treat it?</p> <p>16 A. I started not stressing, staying calm.</p> <p>17 Q. Did you take any medication for it?</p> <p>18 A. Initially. But then they said the</p> <p>19 medication was -- I didn't need it basically.</p> <p>20 That's how they came up with the diagnosis that I</p> <p>21 was self, that I used to raise my own blood</p>

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1 pressure.	1 Q. You have to keep your voice up, sir?
2 Q. Are you currently being treated for	2 A. Perkins Projects.
3 anything?	3 Q. And were you arrested in the same place or
4 A. No.	4 a different place within Perkins Projects?
5 Q. Mr. Thomas, do you have any criminal	5 A. Different place.
6 convictions?	6 Q. Okay. You don't recall what block it was?
7 A. No.	7 A. No.
8 Q. At the time of your trial in two --	8 Q. At the period of time in which you were
9 December of 2001, did you have convictions at that	9 arrested for those two drug offenses, where were you
10 point?	10 living?
11 A. At that point.	11 A. Don't remember.
12 Q. Okay. And what were those convictions	12 Q. You don't remember where you were living
13 for?	13 at the time?
14 A. CDS.	14 A. I'm thinking one of two places but I don't
15 Q. Felony CDS?	15 recall which place at the top of my head.
16 A. Yes.	16 Q. Okay. So were you born in Baltimore?
17 Q. Okay. And that was for possession with	17 A. Yes.
18 intent to distribute?	18 Q. And what was your first residence within
19 A. Yes.	19 Baltimore?
20 Q. And do you recall when you were arrested	20 A. You mean when I was born?
21 for those events -- those offenses that led to those	21 Q. When you were born.
Page 51	Page 53
1 convictions at that point in time?	1 A. I don't know.
2 A. Don't recall.	2 Q. You don't remember your childhood home?
3 MR. BALLENGER: Just real quick. I'm	3 A. No.
4 going to step out. Booth will take over.	4 Q. What's the first residence that you can
5 MS. GOO: Okay.	5 recall that you lived in?
6 Q. Do you recall being arrested by the police	6 A. I know it was in South Baltimore. I don't
7 for those drug convictions?	7 recall the street. Then my mother -- at my youngest
8 A. Yes.	8 age that I can recall. I don't -- she moved a lot.
9 Q. Do you recall where you were arrested for	9 Q. So you first were in South Baltimore?
10 the first one?	10 A. At my earliest childhood --
11 A. Yes.	11 Q. At your earliest?
12 Q. Where was it?	12 A. Childhood memory, yeah.
13 A. In Perkins Projects.	13 Q. And where after that?
14 Q. Do you remember where specifically in	14 A. East Baltimore mostly.
15 Perkins?	15 Q. Okay. So what's the first East Baltimore
16 A. No.	16 address that you can remember?
17 Q. And for the second conviction, do you	17 A. North Avenue.
18 recall where you were arrested?	18 Q. Where along North Avenue, east side or
19 A. Yes.	19 west side?
20 Q. And where was that?	20 A. All east side I'm talking about right now.
21 A. Perkins Projects.	21 Q. Do you recall what the cross street was

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1 and North Avenue?	1 A. I'm sure I walked through there before or
2 A. Collington.	2 drove through there.
3 Q. Collington?	3 Q. Did you ever have friends and associates
4 A. Yes.	4 that lived anywhere near there?
5 Q. And how long did you live at that North	5 A. No.
6 and Collington address?	6 Q. So you recall living in the 400 block of
7 A. Maybe six years, something like that.	7 North Lakewood Street, and that was -- sorry, I just
8 Q. Do you recall what level of school you	8 want to make sure I understand this. That was your
9 were in when you were living there?	9 first -- around your first year of high school or
10 A. From middle to my first year of high	10 did you leave around then?
11 school.	11 A. No, I was still going to high school when
12 Q. Okay. So after your first year of high	12 I first moved there.
13 school where did you live?	13 Q. And then you lived there for a couple of
14 A. Lakewood.	14 years after that?
15 Q. Okay. And do you recall what block that	15 A. Right.
16 was?	16 Q. Okay. So would it be fair to say that you
17 A. 400 block.	17 were in your teen years when you were living at 400
18 Q. Okay. And how long did you -- sorry, is	18 North Lakewood?
19 that north or south?	19 A. Yes.
20 A. North.	20 Q. So at that point in time after you left
21 Q. And how long did you live at that address	21 high school, what if anything did you do for work?
Page 55	Page 57
1 for?	1 A. I used to -- I used to -- there was this
2 A. Can't recall. It was some years.	2 guy who used to evict people and I used to work with
3 Q. Okay. Did you graduate from high school?	3 him sometimes when he had the space for me.
4 A. No.	4 Q. When he had the space for you?
5 Q. What year did you leave?	5 A. Yeah, because he used to let us kids help
6 A. I don't recall what year I left. I recall	6 him evict people.
7 what grade I left.	7 Q. So what would you actually do to help him
8 Q. What grade did you leave?	8 out?
9 A. Ninth. Ninth.	9 A. Put the stuff out.
10 Q. Okay. So 400 North Lakewood, is that --	10 Q. Go into the house, take the stuff out?
11 that's above Fayette Street?	11 A. Yeah, take the stuff out.
12 A. Yes.	12 Q. How much would he pay you?
13 Q. Below Orleans?	13 A. I don't recall. I remember it being
14 A. No.	14 decent.
15 Q. Is it right at Orleans?	15 Q. So this was back in the 90's?
16 A. In between Orleans and Jefferson.	16 A. Yes.
17 Q. Okay. And are you familiar with the area	17 Q. What was decent, like 20 bucks, 50 bucks?
18 around the 100 north block of Clover Street?	18 A. Maybe like 50.
19 A. What you mean familiar?	19 Q. Per house, per day?
20 Q. Like had you been in that area before, had	20 A. Yeah, like if we -- during that day of
21 you walked through there?	21 work, yeah, at the end of the day he would give me

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1 50 bucks, something like that.	1 Q. Where did you sell?
2 Q. So you could have done a couple houses in	2 A. Perkins Projects.
3 a day and then he'd give you 50 bucks at the end of	3 Q. Where?
4 the day?	4 A. In different courts.
5 A. Probably no more than two.	5 Q. Which courts?
6 Q. And do you recall how many evictions you	6 A. Heron, Dallas.
7 helped him with?	7 Q. Heron, Dallas, any others?
8 A. I don't recall. A lot.	8 A. No.
9 Q. Did he come to you consistently or was it	9 Q. How much did you make on a weekly basis?
10 just kind of like an as-needed he would call you up?	10 A. I don't recall.
11 A. No, he -- I mean it wasn't that he came to	11 Q. Did you sell during the night time or
12 me. I went to him early in the morning. If I was	12 daytime or was it -- did it vary?
13 there early in the morning and -- yeah.	13 A. It varied.
14 Q. So if you were there early in the morning	14 Q. Did you have a shop set up or did people
15 where?	15 call up and ask for you to sell to them at requested
16 A. He lived on -- so that's the 500 block.	16 specific times?
17 Q. The 500 block of what?	17 A. I stood there and they came to me.
18 A. Lakewood.	18 Q. And in February of 2001 were you on
19 Q. So you would go to him and ask if he had	19 probation?
20 any work for you that day?	20 A. February 2001. Yes.
21 A. Yeah.	21 Q. And were you using drugs at this period of
Page 59	Page 61
1 Q. Approximately how many times did you do	1 time as well?
2 this work for him?	2 A. No.
3 A. About -- he -- Monday through Friday. It	3 Q. Okay. So you were not using cocaine?
4 was -- he didn't do it on weekends.	4 A. No.
5 Q. Did you do this for a couple weeks, couple	5 Q. Okay. No marijuana?
6 months?	6 A. No.
7 A. Maybe -- maybe around a year. Maybe.	7 Q. Drinking alcohol?
8 Q. And how -- how did you get paid?	8 A. Sometimes.
9 A. Cash.	9 Q. Okay. I'm going to go through a list of
10 Q. Cash. Now, back in February of 2001, what	10 different people and then I'm going to ask you a
11 was your -- what was the normal day for you back	11 series of questions depending on whether or not you
12 then?	12 know who the person is. So the first person is
13 MR. BALLENGER: Sorry, what time?	13 Octavia Barnes. Do you know this person?
14 Q. February of 2001.	14 A. Yes.
15 A. Hanging out with my friends.	15 Q. And how do you know Ms. Barnes?
16 Q. Were you working then?	16 A. That's my daughter's mother.
17 A. No.	17 Q. Does Ms. Barnes have any nick names?
18 Q. What did you do for money?	18 A. Tay.
19 A. Sold drugs.	19 Q. Tay?
20 Q. What kind of drugs were you selling?	20 MR. BALLENGER: Can you spell that?
21 A. Cocaine.	21 A. T-A-Y. Octavia. Tay is for short.

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1 Q. And so back in 2001 had your daughter been 2 born at that point?	1 Q. Have you ever spoken to Ms. Turner? 2 A. No.
3 A. At what point?	3 Q. Have you seen her before? 4 A. No.
4 Q. Sorry, in 2001.	5 Q. Okay. So you've had no communications 6 with her whatsoever?
5 A. At what point?	7 A. No.
6 Q. In February of 2001.	8 Q. Dewey Morgan. We had some conversation 9 about Mr. Morgan at the beginning of the deposition.
7 A. No.	10 Do you recall that?
8 Q. Okay. What was your relationship with Ms. 9 Barnes back in February of 2001?	11 A. Yes.
10 A. That was my girlfriend.	12 Q. And you said that you had some information 13 about what Dewey Morgan had observed. And I think 14 you said that he had actually observed the shooting. 15 Is that correct?
11 Q. Did you speak with Ms. Barnes while you 12 were in the DOC?	16 A. That is correct.
13 A. Yes.	17 Q. Okay. How did you learn about that?
14 Q. Okay. And how did the two of you 15 communicate?	18 A. In 2011 or ten I believe I took the 19 Baltimore Police Department to court for Maryland 20 Public Information Act and they actually gave me 21 that information.
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1 Q. Have you heard of Alease Turner's name 2 before?	1 Q. Who gave that information?
3 A. Yes.	2 A. The Baltimore Police Department.
4 Q. And how do you know of Alease Turner?	3 Q. They gave you the information about Dewey 4 Morgan?
5 A. From the case.	5 A. Yes.
6 Q. Okay. And tell me what you know about 7 Alease Turner?	6 Q. How did they give that information to you?
8 A. Nothing.	7 A. The judge made them give me my full 8 discovery packet.
9 Q. You know nothing about Alease Turner.	9 Q. So was that a -- something that was 10 contained within the information that was turned 11 over as a result of the MPIA --
10 What does Alease Turner know about your case that 11 you know of?	12 A. Yes.
12 A. If I can recall, I think she -- I believe 13 that she said that she talked to the shooter that 14 night, alleged shooter that night.	13 Q. -- request?
15 Q. And how did you learn this information 16 about Alease Turner having that information?	14 A. Yes.
17 A. From a report.	15 Q. Have you ever spoken to Dewey Morgan?
18 Q. What kind of report?	16 A. I mean he was -- he came to court and 17 that's the first time I ever seen him.
19 A. Discovery report, I believe.	18 Q. And have you ever attempted to communicate 19 with him at all?
20 Q. Was it a police report?	20 A. No.
21 A. Yes, police report.	21 Q. Okay. Have you ever had anybody on your

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1 behalf try and reach out to him?	1 out to Ms. Wilson?
2 A. Investigators.	2 A. I didn't ask him to do nothing. Andy did.
3 Q. Investigators?	3 Q. And you've never communicated with -- have
4 A. Yes.	4 you ever communicated with Ms. Wilson?
5 Q. Okay. For what purpose?	5 A. Never.
6 A. For court purpose.	6 Q. Anthony Wilson, do you know this person?
7 Q. Which court?	7 A. Yes.
8 A. So that's 2010. Motion for new trial.	8 Q. Okay. And who is he?
9 Q. So when you say the motion for a new	9 A. A private investigator.
10 trial, what did you mean. What did you need from	10 Q. Does he go by any nick names or business
11 him for the motion for the new trial?	11 names?
12 A. His testimony.	12 A. Huh?
13 Q. And who were the investigators at that	13 Q. How do you refer to him, is it Anthony
14 point?	14 Wilson, Mr. Wilson, or do you call him something
15 A. I don't remember his name. I know that	15 different?
16 Andy Alperstein said he was pretty good though,	16 A. He has a nick name, Wolfe.
17 because he did find him.	17 Q. When did you -- who hired him?
18 Q. So it was an investigator that	18 A. I hired him.
19 Mr. Alperstein had?	19 Q. Okay. And when did you hire him, if you
20 A. Yes.	20 can recall?
21 Q. Nina Wilson, do you know her?	21 A. I don't recall.
Page 67	Page 69
1 A. No.	1 Q. Was it, if you know, before or after the
2 Q. Are you familiar with who Nina Wilson is?	2 private investigator for Andy Alperstein helped with
3 A. Yes.	3 your case?
4 Q. And what do you know about Nina Wilson as	4 A. After.
5 it relates to this specific case?	5 Q. And why did you hire Mr. Wilson?
6 A. That she was another person who allegedly	6 A. How many people did I get him to talk to?
7 talked to the shooter that night.	7 I hired him to talk to -- to find again Dewey Morgan
8 Q. Okay. And have you ever communicated with	8 and to try to find Myron Brockington.
9 Ms. Wilson?	9 Q. Any -- so Dewey Morgan, Myron Brockington,
10 A. Never.	10 anyone else?
11 Q. Have you had anyone on your behalf reach	11 A. No, that was it.
12 out to Ms. Wilson?	12 Q. Okay. Why was it important for you for
13 A. Yes.	13 him to find Dewey Morgan?
14 Q. And who was that?	14 A. For court purposes.
15 A. Investigator.	15 Q. What court?
16 Q. Okay. And which investigator was that?	16 A. I believe I was going to use that for my
17 A. Same investigator.	17 actual innocence petition.
18 Q. Okay. So that's the same one from Andy	18 Q. And why was it important for him to find
19 Alperstein?	19 Myron Brockington?
20 A. Yeah.	20 A. For the same reason, I mean I believe
21 Q. And why did you ask that person to reach	21 that -- that after all these years, he might have

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<p>1 been helpful.</p> <p>2 Q. Why did you believe that?</p> <p>3 A. I had to believe it. That's all I had.</p> <p>4 Q. Why?</p> <p>5 A. I mean because -- I know I didn't do it,</p> <p>6 so who -- I shot my shot.</p> <p>7 Q. So was there any reason -- did you have</p> <p>8 any particular reason that you wanted to have</p> <p>9 Mr. Brockington approached that you thought that</p> <p>10 somehow something was going to be different?</p> <p>11 A. I don't understand the question.</p> <p>12 Q. Sure. Did you learn anything about</p> <p>13 Mr. Brockington while you were in jail that made you</p> <p>14 think that he might say something different?</p> <p>15 A. I did actually. I heard that he</p> <p>16 supposedly seen the person that shot him.</p> <p>17 Q. So you had heard that?</p> <p>18 A. Yeah, I heard it.</p> <p>19 Q. Okay. Because up to I guess the point in</p> <p>20 which Mr. Brockington eventually does come in, he</p> <p>21 had testified twice against you, right?</p>	<p>1 back in 2001?</p> <p>2 A. Somebody that lived on my block. Hung</p> <p>3 with my brother.</p> <p>4 Q. And that was Mr. Blake Thomas?</p> <p>5 A. Yes.</p> <p>6 Q. Did your brother and Mr. Lyle know each</p> <p>7 other, were they close friends?</p> <p>8 A. They were friendly enough. They used to</p> <p>9 be with each other.</p> <p>10 Q. Repeat that.</p> <p>11 A. They were friendly enough. I used to see</p> <p>12 them with each other sometimes.</p> <p>13 Q. While you were in -- actually, so other</p> <p>14 than your relationship, other than knowing him</p> <p>15 through your brother, did you ever -- did you have</p> <p>16 any relationship with Mr. Lyle. Like were the two</p> <p>17 of you friends, did you ever serve him drugs?</p> <p>18 A. No.</p> <p>19 Q. When was -- did you ever speak with</p> <p>20 Mr. Lyle while you were in jail?</p> <p>21 A. No.</p>
Page 71	Page 73
<p>1 A. Twice?</p> <p>2 Q. Yes. Do you recall that there was a</p> <p>3 motion to suppress a photographic array in which he</p> <p>4 testified?</p> <p>5 A. No.</p> <p>6 Q. In your case. You don't remember that?</p> <p>7 A. No, I don't.</p> <p>8 Q. But you recall at your trial itself he did</p> <p>9 testify against you?</p> <p>10 A. Yes, he did.</p> <p>11 Q. Okay. Donte Lyle. Do you know this</p> <p>12 person?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And how do you know Donte Lyle?</p> <p>15 A. He lived on my block on Lakewood.</p> <p>16 Q. Do you remember if he went by any nick</p> <p>17 names?</p> <p>18 A. Yes.</p> <p>19 Q. What was that?</p> <p>20 A. Junky Veins.</p> <p>21 Q. What was your relationship with Mr. Lyle</p>	<p>1 Q. And what was the last time that you spoke</p> <p>2 with Mr. Lyle?</p> <p>3 A. When we were sitting next to each other at</p> <p>4 the trial table.</p> <p>5 Q. So that was back in 2001?</p> <p>6 A. Yes.</p> <p>7 Q. And Mr. Lyle has since passed?</p> <p>8 A. Yes.</p> <p>9 Q. And how did you learn about his death?</p> <p>10 A. I don't recall.</p> <p>11 Q. Were you in jail at the time?</p> <p>12 A. Yes.</p> <p>13 Q. The next name on the list is Blake Thomas.</p> <p>14 So you already said that he is your brother?</p> <p>15 A. Yes.</p> <p>16 Q. How often do the two of you talk</p> <p>17 currently?</p> <p>18 A. I don't know, I visit him a lot.</p> <p>19 Q. Where is he now?</p> <p>20 A. Patuxent.</p> <p>21 Q. For what?</p>

Page 74	Page 76
1 A. Murder.	1 amount of people that are hanging on the corners,
2 Q. And do you know what year he went away?	2 what are they doing on the corners?
3 A. I don't. Maybe -- I know it was before	3 A. Whatever they do.
4 me. Before I got incarcerated.	4 Q. What does that mean?
5 Q. So sometime in the 90's?	5 A. I don't know.
6 A. It wasn't that long, but it was around the	6 Q. So you don't know what type of activities
7 same time.	7 they are partaking in, they are just hanging out on
8 Q. And was your brother, Blake Thomas, did he	8 the corners?
9 know Namey at all?	9 A. They are doing something I'm sure.
10 A. Yeah. I'm sure that anybody who was	10 Q. What's the something that they could be
11 around the projects knew of him.	11 doing?
12 Q. Knew of who?	12 A. I don't know.
13 A. Some type of way. Namey.	13 Q. You don't know?
14 Q. Why would they know of Namey?	14 A. Whatever they do.
15 A. Because he was around there.	15 Q. Tyreke Ellis. You stated that he is a
16 Q. So, you know, Perkins Projects, there is a	16 cousins of yours?
17 lot of apartments, buildings. A lot of people.	17 A. Yes.
18 A. There is no buildings --	18 Q. How are the two of you related?
19 Q. I mean there is a lot of people in a small	19 A. Through marriage.
20 area, is that fair to say?	20 Q. So is he a cousin through marriage?
21 A. It depends on what you consider large. I	21 A. Yes.
Page 75	Page 77
1 don't consider Perkins large.	1 Q. Okay. And who married who for the two of
2 Q. Okay. Approximately how many people do	2 you to be related?
3 you think lived in Perkins Projects back in 2001?	3 A. His mother and my cousin. Yeah. That's
4 A. I don't know.	4 my cousin.
5 Q. Like a couple hundred?	5 Q. Okay. How often when you were within
6 A. Yeah.	6 prison did you speak with Tyreke?
7 Q. Okay. So there is a couple hundred people	7 A. Not often.
8 that were living in Perkins Projects at that time?	8 Q. Once a month, once a year?
9 A. Right.	9 A. Sometimes it had been like once a year.
10 Q. And Namey is one of a couple hundred	10 Q. Were there times it was more frequent,
11 people that lived in Perkins Projects, correct?	11 like once a month or a couple times a month?
12 A. True.	12 A. It depends. I mean 20 years, I call
13 Q. So why would anybody -- why would people	13 people -- I don't know. I just check up on them
14 know who Namey was?	14 sometime. Yeah, cause could have been -- he wasn't
15 A. Everybody don't hang outside, right, on	15 my -- on my normal call list or people that I was
16 corners and things like that. Everybody doesn't do	16 interested in talking to on a daily basis.
17 that. That's a very small amount of people.	17 Q. Okay. Who did you talk to on a daily
18 Q. Okay. So was Namey one of the people that	18 basis?
19 was hanging around other corners?	19 A. My girlfriends.
20 A. Yes.	20 Q. Who were the girlfriends that you had
21 Q. And when you're talking about the small	21 while you were in?

Page 78	Page 80
1 A. Donna. And Dina.	1 years ago when you last communicated with her, was
2 Q. You said Dana or Dina?	2 that in 2020, 2021, around that period of time?
3 A. Dina. D-I-N-A.	3 A. Like 2023.
4 Q. Let's start with Donna Tabron?	4 Q. Okay. So you communicated with her since
5 A. Tabron.	5 you got out of jail?
6 Q. Tabron. When -- how did you meet	6 A. Yeah.
7 Ms. Tabron?	7 Q. Dina Thomas, when did the two of you start
8 A. Through a friend.	8 dating?
9 Q. And you met her before you went into jail?	9 A. I was about 16, maybe 17.
10 A. No.	10 Q. And how long did the two of you date for?
11 Q. You met her there?	11 A. I mean she was there the whole time I was
12 A. Yes.	12 locked up.
13 Q. Okay. And when did you meet her?	13 Q. Okay. And how often did the two of you
14 A. Early 2000's.	14 talk while you were in?
15 Q. Any nick names for Donna that you used?	15 A. It depends on what years it was.
16 A. No.	16 Q. So what years did you speak with her more
17 Q. How long were you the two of you together?	17 regularly than the others?
18 A. About 17 years.	18 A. In the earlier years was more frequent
19 Q. Do the two of you still communicate now?	19 than the later years. But it was still constant.
20 A. No.	20 Q. So I would say in the decade leading up to
21 Q. When was the last time you communicated	21 you getting out, so the 2010 to 2020 period of time,
Page 79	Page 81
1 with Ms. Tabron?	1 how often were you the two of you talking then?
2 A. Few years back.	2 A. A lot until about the halfway point.
3 Q. And when did she get out?	3 Q. And how would the two of you communicate
4 A. When did she get out?	4 while you were in?
5 Q. Yes.	5 A. Letters and phone. Only two ways you can
6 A. Get out --	6 communicate with somebody. Or visits.
7 MR. BALLENGER: What --	7 Q. I forgot to ask that question about Ms.
8 Q. Did she leave the jail at some point?	8 Tabron. How did the two of you communicate?
9 A. She was never locked up.	9 A. Same.
10 Q. I thought you said you met her when you	10 Q. Angela Campbell, who is this person?
11 were in jail?	11 A. My mother.
12 A. I was in jail, she wasn't.	12 Q. When you were in -- how often did the two
13 Q. Then that's -- I should have corrected	13 of you talk?
14 that. She was never in jail with you?	14 A. Often, a couple times a week.
15 A. No.	15 Q. And do you and your mother still see each
16 Q. But you met her somehow while you were in?	16 other on a regular basis?
17 A. Yes.	17 A. Yes.
18 Q. Okay. And the two of you talked on a	18 Q. Lisa Gallaham. Do you know this person?
19 daily basis?	19 A. No.
20 A. Pretty much, yes.	20 Q. Do you know that name, Lisa Gallaham at
21 Q. One -- up until what you describe as a few	21 all?

Page 82	Page 84
1 A. No.	1 A. No.
2 Q. Do you know a Lisa that is a girlfriend or	2 MS. GOO: Okay. I think at this point it
3 a baby momma of Myron Brockington?	3 would be appropriate for us to take a five
4 A. How would I know that?	4 minute break.
5 Q. Do you know this person?	5 MR. BALLENGER: Okay.
6 A. I don't. Never heard of her.	6 VIDEOGRAPHER: We are going off the
7 Q. All right. Myron Brockington, do you know	7 record. The time is 11:04 a.m.
8 this person?	8 (Off the record colloquy.)
9 A. Yes.	9 VIDEOGRAPHER: We are back on the record.
10 Q. Okay. Now, did you know Mr. Brockington	10 The time is 11:18 a.m. This is media number
11 prior to this specific case. Like so prior to 2001	11 two.
12 did you know Myron Brockington?	12 Q. Mr. Thomas, we were going through a list
13 A. No.	13 of names and follow-up questions depending on
14 Q. Do you know -- had you heard of him, seen	14 whether you know the person. So the next name is do
15 him around?	15 you know Charles Floyd who you also stated his nick
16 A. No.	16 name is Namey. How do you know Mr. Floyd?
17 Q. Do you know if any of your friends,	17 A. From being around the neighborhood.
18 associates, ever knew Mr. Brockington?	18 Q. Do you know if Mr. Floyd goes by any other
19 A. No.	19 nick names?
20 Q. Before 2001?	20 A. I don't even know him his name.
21 A. No.	21 Q. Have you heard any other individuals
Page 83	Page 85
1 Q. And since you had your trial, have you	1 with -- that described him having another nick name?
2 spoken with Mr. Brockington while you were in jail?	2 A. No.
3 A. No.	3 Q. Or mentioning any other nick names?
4 Q. No?	4 A. No.
5 A. No.	5 Q. And you -- have you ever been in the same
6 Q. And when was -- I'm not sure if the	6 DOC facility as Mr. Floyd?
7 question was clear. Did you talk to Myron	7 A. Never.
8 Brockington at all while you were in jail?	8 Q. Were the two of you ever in lock-up
9 A. No.	9 together at Circuit Court for Baltimore City?
10 Q. Okay. So you had no communication with	10 A. No.
11 him in any way?	11 Q. Have you ever -- have you ever seen him in
12 A. No.	12 person while you were in incarcerated?
13 Q. And when was the last time that you saw	13 A. No.
14 Mr. Brockington?	14 Q. And are you in any way afraid of him or
15 A. In court.	15 fearful of him?
16 Q. And when was that?	16 A. Afraid of him?
17 A. 2001.	17 Q. Yes.
18 Q. Other than Mr. Wilson, the private	18 A. No.
19 investigator, is there anyone else that you	19 Q. So going back to February of 2001. I had
20 instructed or directed to contact Mr. Brockington on	20 a number of questions for you about what a normal
21 your behalf?	21 day for you was back in February of 2001. Do you

<p style="text-align: right;">Page 86</p> <p>1 recall that line of questions?</p> <p>2 A. Yes.</p> <p>3 Q. And do you have any recollection of what</p> <p>4 you were doing on either February the two -- sorry,</p> <p>5 February 25th, 2001?</p> <p>6 A. Not at all.</p> <p>7 Q. And do you have any recollection about</p> <p>8 what you were doing on February 26, 2001?</p> <p>9 A. No.</p> <p>10 Q. You have to speak up for the record?</p> <p>11 A. No.</p> <p>12 Q. Okay. All right. But at some point you</p> <p>13 were arrested for the shooting of Myron Brockington,</p> <p>14 correct?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. And could you just describe what</p> <p>17 you recall of that occurring. Your arrest</p> <p>18 specifically?</p> <p>19 A. I was arrested by the Housing Authority</p> <p>20 and taken to one of them police stations.</p> <p>21 Q. Okay. And where were you arrested?</p>	<p style="text-align: right;">Page 88</p> <p>1 Q. Is Vigue the only one that you remember or</p> <p>2 is Vigue the only one that met with you?</p> <p>3 A. He wasn't -- he wasn't the only one that I</p> <p>4 remember, but he was like the guy.</p> <p>5 Q. What do you mean by the guy?</p> <p>6 A. He was the guy doing all the questioning,</p> <p>7 most of the questions. He was the guy who seemed</p> <p>8 like everybody else was following. Yeah.</p> <p>9 Q. Did it seem like he was giving direction</p> <p>10 to the other officers?</p> <p>11 A. Yeah, he definitely seemed like he was</p> <p>12 above them.</p> <p>13 Q. Could you tell who was a police officer</p> <p>14 and who was a detective that you interacted with?</p> <p>15 A. I assume they all was detectives. They</p> <p>16 didn't dress -- they all dressed in other -- they</p> <p>17 didn't have police uniforms.</p> <p>18 Q. Was Vigue dressed in a police uniform?</p> <p>19 A. Never.</p> <p>20 Q. What was he dressed in?</p> <p>21 A. Like -- just regular clothes is some type</p>
<p style="text-align: right;">Page 87</p> <p>1 A. In -- at my home at the time.</p> <p>2 Q. Where were you living at the time?</p> <p>3 A. Hillman Court.</p> <p>4 Q. Was that 823 Hillman Court?</p> <p>5 A. Yes.</p> <p>6 Q. And were you arrested by just Housing</p> <p>7 Authority or was Baltimore Police Department there</p> <p>8 as well?</p> <p>9 A. Just Housing Authority.</p> <p>10 Q. Did they give you your Miranda warnings?</p> <p>11 A. No.</p> <p>12 Q. Housing Authority never did?</p> <p>13 A. No, they just arrested me.</p> <p>14 Q. And when was the first time you</p> <p>15 encountered somebody from the Baltimore Police</p> <p>16 Department?</p> <p>17 A. When they took me to the station and I</p> <p>18 encountered detectives after that.</p> <p>19 Q. Do you recall which detectives you first</p> <p>20 met with?</p> <p>21 A. Vigue.</p>	<p style="text-align: right;">Page 89</p> <p>1 of way I can recall, but it wasn't like a uniform.</p> <p>2 It was basically some type of something with a badge</p> <p>3 hanging from him type of situation.</p> <p>4 Q. Would it be fair to describe it as him</p> <p>5 wearing plain clothes?</p> <p>6 A. Plain clothes, yeah.</p> <p>7 Q. Not the BP blue that --</p> <p>8 A. Right, exactly.</p> <p>9 Q. Was there anyone else there that was</p> <p>10 dressed like that?</p> <p>11 A. Yes.</p> <p>12 Q. And do you recall the names of those</p> <p>13 persons?</p> <p>14 A. Copeland.</p> <p>15 Q. Anyone else?</p> <p>16 A. Chinese looking guy. I think his name was</p> <p>17 Don Lee. That's what I can recall.</p> <p>18 Q. And who gave you your -- did you</p> <p>19 eventually receive your Miranda warnings?</p> <p>20 A. I don't recall getting no Miranda</p> <p>21 warnings.</p>

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1 Q. Now, you mentioned that there were a 2 number of questions that you received from Vigue. 3 Did you agree to speak with police? 4 A. Excuse me. 5 Q. When were you finally at the police 6 station and you were with Vigue and other 7 detectives, did you agree to give a statement? 8 A. No. 9 Q. You did not agree to give a statement? 10 A. No. 11 Q. So you did not tell them that you don't 12 recall anything about that day? 13 A. I did tell them that. 14 Q. So what did you tell the police that day 15 after you were arrested? 16 A. That I don't know nothing about what they 17 are talking about. 18 Q. Do you remember what they asked you? 19 A. I remember what he said. 20 Q. What did he say? 21 A. Vigue hisself was saying -- it was one	1 Q. Okay. So there were questions posed to 2 you by Vigue? 3 A. Yeah. 4 Q. Whether or not you answered them is a 5 separate question? 6 A. Yeah, I don't recall, yeah. 7 Q. When you first got to the station, do you 8 recall them asking for things like biographical 9 information, your name, where you live, your phone 10 number. Did they go through those questions with 11 you at the beginning? 12 A. I don't recall, but I'm sure they did. 13 Q. And did they go through an advice of 14 rights with you, where you have to initial form and 15 they read you -- 16 A. No. 17 Q. -- about whether or not you want to talk? 18 A. No, I don't recall. 19 Q. You just don't recall? 20 A. No. 21 Q. Is it possible that they read that form to
1 thing that stood out to me the most about his 2 questioning. He literally said that "so you -- you 3 going to take this." I thought that was weird for 4 him to say when I kept on saying I wasn't there, had 5 nothing to do with this. He said "so you going to 6 take this, huh." And I said -- I asked him to 7 repeat it. He said "so you're going to go down for 8 this." And my response was "go down, I don't know 9 about that." 10 Q. Do you recall any other questions that 11 Vigue asked you? 12 A. No. That stood out to me because it was 13 like, you know, he almost -- like he knew that -- 14 almost like to say that if you don't -- like he know 15 that I didn't do it but at the same time saying that 16 he was going to -- look like I'm going down for it 17 if I don't, you know, help him in some type of way. 18 Q. Okay. Let's back up a little bit. So 19 Vigue did ask you questions at the police station, 20 is that fair to say? 21 A. He tried.	1 you? 2 A. I don't recall that, no. 3 Q. Okay. You just have no memory? 4 A. Not of them -- not -- I don't recall them 5 ever saying I had the right to remain silent or 6 nothing like that. 7 Q. Is it possible they did and you just don't 8 remember it? 9 MR. BALLENGER: Objection. You can 10 answer. 11 A. I think I would remember something like 12 that. 13 Q. Then did they ask you questions about what 14 you were doing on February the 25th of 2001? 15 A. I'm sure he did. 16 Q. Okay. You just don't remember what those 17 specific questions were? 18 A. No, because I had short answers for it. 19 Q. Do you recall whether or not they 20 mentioned whether you were at Sally's bar that 21 night?
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1 A. It's a possibility that he asked me that.	1 manipulative. And it seemed like whatever mode he
2 Q. And they mention any of the injuries of	2 set, Copeland followed. Like trying to intimidate
3 the victim to you at that point?	3 me, trying to get me to say like -- I don't know
4 A. I'm sure he did say stuff about that too.	4 what they wanted from me. Because I told them I
5 Q. You just don't have a specific	5 wasn't there. I don't...
6 recollection of it?	6 Q. So you're describing Detective Vigue as
7 A. No.	7 being aggressive in tone and in body language?
8 Q. So when the questions that you do	8 A. And manipulative.
9 remember, do you remember what kind of questions	9 Q. And manipulative. And this is what
10 they were asking you around the -- so there is	10 occurred in your interaction for when they were
11 specific things that you are remember about --	11 trying to get a statement from you?
12 A. Like I know he was asking me about names.	12 A. Yes.
13 And, you know, like he mentioned my brother, I	13 Q. Other than that statement, what other
14 believe. And of course my so-called co-defendant	14 interactions did you have with Detective Vigue?
15 and whether I was there and what do I know about	15 A. None.
16 that night.	16 Q. So that was -- other than court, is that
17 Q. Just so the record is clear, when you say	17 the only time that you saw him in relation to this
18 you're so-called co-defendant, who is that?	18 case?
19 A. Donte Lyle.	19 A. Yes, I believe so.
20 Q. And your brother being Blake Thomas?	20 Q. What about Detective Copeland?
21 A. Yes.	21 A. Same.
Page 95	Page 97
1 Q. And your interview with the police was not	1 Q. So just this statement that they took from
2 on tape?	2 you?
3 A. No.	3 A. Yes.
4 Q. Is that right?	4 Q. And what about Detective Danielczyk, was
5 A. No.	5 he present for the statement?
6 Q. Okay. Now, the lawsuit brought in this	6 A. Him and Don Lee, I don't -- they didn't
7 case is against Detective Vigue, Detective Copeland,	7 pretty much say much. I don't -- you know.
8 and Detective Danielczyk. Those are the specific	8 Q. As to your specific -- as to this specific
9 ones the case is brought against, right. Can you	9 case, did you have any other interactions with
10 just tell me what Detective Vigue did wrong in terms	10 Detective Danielczyk?
11 of his wrongdoing in this case?	11 A. No.
12 MR. BALLENGER: I'm going to object to the	12 Q. Okay. Now you mentioned that you believe
13 broadness of that. Calls for a lot of legal	13 that Detective Vigue was being manipulative. In
14 speculation on his part. With that in mind,	14 what way was he being manipulative?
15 you can answer the question.	15 A. If you tell me that "are you going to go
16 A. Repeat the question?	16 down for this" and you frame it in a different way
17 Q. I'll ask the question a little bit	17 and say -- he said "are you going down for this."
18 differently. What has your interaction been with	18 And he said "so you going" -- when he repeated it,
19 Detective Vigue?	19 he pretty much said the same thing. So I'm like
20 A. He was aggressive in tone and in body	20 that's strange language for a person that you saying
21 language. He was very, I don't know, trying to be	21 did it. Like why would I be going down for

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<p>1 something -- why would you say "so you going down 2 for this" if you're saying at the same time that I 3 did it. That's manipulative. I don't know what 4 that was about, but it was like I took it as a 5 threat on my life.</p> <p>6 Q. You understood that to be a threat on your 7 life.</p> <p>8 A. Yes.</p> <p>9 Q. That one question or those two questions?</p> <p>10 A. Absolutely. Absolutely.</p> <p>11 Q. So I didn't ask these questions. But -- 12 so where -- this happened at the police station?</p> <p>13 A. Yes.</p> <p>14 Q. One of the police stations?</p> <p>15 A. Yes.</p> <p>16 Q. Could you describe what the room looked 17 like that you were in?</p> <p>18 A. Small room. Small table. Three guys 19 aggressively grilling me.</p> <p>20 Q. Okay. So it was -- who were the three 21 detectives in the room?</p>	<p>1 Q. Did you ever ask to use the rest room 2 while you were there?</p> <p>3 A. I don't recall.</p> <p>4 Q. Okay. Do you recall them denying your 5 ability to use the rest room if you needed it?</p> <p>6 A. I don't recall at all.</p> <p>7 Q. Now, I know you said the questioning was 8 threatening. That's your testimony today, right?</p> <p>9 That line of questioning about, you know, you're 10 going to go down for this, those questions. Those 11 are threatening to you, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Did they ever physically threaten you in 14 the room?</p> <p>15 A. No.</p> <p>16 Q. Nobody brought their guns out and put them 17 on the table or anything like that?</p> <p>18 A. No. Unless you want to take, "are you 19 going down for this" as a physical threat. I did.</p> <p>20 Q. Okay. And ultimately you stuck to what 21 you said through -- so what did you tell them in</p>
Page 99	Page 101
<p>1 A. I know it was him and Copeland.</p> <p>2 Q. Who is him?</p> <p>3 A. Vigue and Copeland at all times. And then 4 different times, you know, if that's his name, Don 5 Lee or Danielczyk would come in and just stare at me 6 and grill me. But it was Copeland and Vigue, mostly 7 Vigue, that was opening up their mouth.</p> <p>8 Q. And how long did -- how long were you in 9 that room for?</p> <p>10 A. I was -- without meeting with the lawyer, 11 I said they kept on trying to spin their questions 12 around for a long time, just to get the same answers 13 from me.</p> <p>14 Q. More than a half hour?</p> <p>15 A. Yes.</p> <p>16 Q. More than an hour?</p> <p>17 A. I believe so, yes.</p> <p>18 Q. More than two hours?</p> <p>19 A. I don't know. I can't -- but I know it 20 was lengthy enough to say it was longer than a half 21 hour or hour.</p>	<p>1 response to "are you going to go down for this"?</p> <p>2 A. I asked him to repeat it. And he said the 3 same thing in a different way. I don't know if it 4 was the first time he said "are you going to go down 5 for this", and I said, "huh, say that again." And 6 he said "so you going to take this charge." That's 7 what he said. He said it two different ways. "So 8 you going to take this charge."</p> <p>9 Q. And what did you say in response to that?</p> <p>10 A. He might have said that one first and then 11 when I asked him to repeat it he said "so you going 12 to go down for this." But he definitely said those 13 two things. I can't recall -- it's more than likely 14 that he said "so you going to take this charge" 15 first. And then when I asked him to repeat it, and 16 he said "oh, so you going to go down for this."</p> <p>17 Q. So when you -- did you say anything in 18 response to the second time that he made that 19 statement?</p> <p>20 A. I said "I don't know about going down."</p> <p>21 Q. That's what you said?</p>

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1 A. Yeah.	1 A. Only because, when I say that, only
2 Q. Is there anything more that you said after	2 because my co-defendant was -- couldn't be a witness
3 that?	3 because of his deal. So he was more important than
4 A. No.	4 Myron Brockington, but in his deal to not testify on
5 Q. Did you conclude -- did you try to	5 my behalf hindered me.
6 conclude the statement at that point?	6 Q. So let's talk about Mr. Lyle and his case.
7 A. Yeah, I was -- I shut down after that	7 What did you learn while your case was pending about
8 pretty much because I understood what was going on.	8 Mr. Lyle's case?
9 Q. Now, when he said you're going to go down	9 A. Could you reframe the question.
10 for this, was that a question or was that a	10 Q. What happened to Mr. Lyle's case, your
11 statement?	11 co-defendant?
12 A. No, it was a question.	12 A. He took a plea.
13 Q. It was a question. So he asked in a	13 Q. Were you present in the courtroom for that
14 way -- he said it in a way that was a question to	14 plea?
15 you?	15 A. I was present when his lawyer said that --
16 A. He said "so you are going to go down for	16 the part where, you know, he is taking a plea and he
17 this." That's a question. And I asked him to	17 will no longer be, you know, part of this process
18 repeat it. And he said "so you going to take this",	18 pretty much, how I remembered it.
19 to that form. I don't know. I was like "okay, I	19 Q. So you were present for that?
20 see what's going on here."	20 A. Yes.
21 Q. After you were done with your statement	21 Q. And who was his attorney at that time?
Page 103	Page 105
1 where did you go after that?	1 A. William Purpura.
2 A. I believe Central Booking.	2 Q. Were you present when Mr. Lyle had to
3 Q. And then you selected to take this case to	3 actually go through a list of questions with the
4 trial; is that right?	4 judge and said that he was pleading guilty?
5 A. Yes.	5 A. I don't recall.
6 Q. And who was your attorney for the trial?	6 Q. And what did you learn about Mr. Lyle's
7 A. Lyle Jones.	7 deal?
8 Q. You were present in the courtroom for all	8 A. Just that I learned that -- well, I
9 of your trial testimony?	9 learned that at first it seemed like a simple plea
10 A. I believe so.	10 agreement, but I learned the specifics behind it a
11 Q. So you were not -- to the best of your	11 little after that.
12 recollection you didn't miss any of the witness	12 Q. What were the specifics -- what were the
13 testimony for any reason?	13 specifics?
14 A. I don't think so.	14 A. You can not testify on Melvin Thomas's
15 Q. And you were present for the testimony of	15 behalf.
16 Mr. Brockington?	16 Q. How did you learn about that?
17 A. Yes.	17 A. Through my lawyer. And through his
18 Q. Okay. And in your opinion who was the key	18 lawyer.
19 witness in your trial?	19 Q. Did you see any written agreement to that
20 A. Myron Brockington.	20 effect?
21 Q. And --	21 A. I did not.

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1 Q. So this is just information you got?	1 said all that.
2 A. Through lawyers, yeah.	2 Q. Okay. So let's go over that a little bit
3 Q. Okay. How did you feel when you found out	3 more. So what did Mr. Purpura, when he talked to
4 that he had pled guilty?	4 you, what did he say that he could do on your
5 A. I didn't feel no way about it. I was	5 behalf?
6 indifferent about him pleading guilty.	6 A. Say just that, that his client did say
7 Q. And how did you feel about the specific	7 that I wasn't there, that I did not have anything to
8 terms about his plea?	8 do with -- I wasn't nowhere around, I wasn't a
9 A. I was crushed about that. I was crushed	9 thought in his mind, that Myron Brockington is
10 about that. Because it just -- it sounds -- like a	10 lying. That -- and that -- yeah, just that.
11 weight just keep on going against me.	
12 Q. Did you know what Mr. Purpura told your	11 Q. Okay. And did you ever review any
13 attorney about the specifics?	12 transcripts or were you aware of the statement of
14 A. That's -- that's exactly what he told him.	13 facts supporting Donte Lyle's guilty plea?
15 He said that he did what was in his client's best	14 A. No, I told you that already.
16 interest, even though his client told him that he	15 Q. So you don't know?
17 wasn't there and all this and all that and he had	16 A. Yeah, I never seen paperwork on his plea,
18 nothing to do with that. He said that deal would	17 no.
19 have been off the table if he would have tried to	18 Q. Would it surprise you that you're named as
20 testify on my behalf. Because my lawyer asked him	19 the shooter in that plea --
21 can he testify on his behalf. And he said	20 A. That would surprise he. Yeah, that would
	21 surprise me a lot actually.
Page 107	Page 109
1 absolutely not.	1 Q. Okay. So to the best of your
2 Q. And did you ever speak with Mr. Purpura?	2 recollection, and you may not have everything
3 A. I did.	3 although you seem to have a pretty good memory of a
4 Q. And what did Mr. Purpura say to you?	4 lot of the post conviction proceedings, can you
5 A. Just that.	5 describe what efforts you took to try and get out,
6 Q. When did you speak to Mr. Purpura?	6 new trial, those types of thing?
7 A. When I was incarcerated.	7 A. What you mean?
8 Q. Do you remember approximately when that	8 Q. So what if any motions for new trial did
9 was?	9 you file?
10 A. It was -- it was not too long in, and	10 A. Post conviction. Appeal from post
11 he -- and he informed me that I can -- my attorneys	11 conviction. Appeal from the appeal. Federal habeas
12 can actually subpoena him and he will testify to any	12 corpus.
13 demonstrations, just that, that that's what	13 Q. And you recall the motion for new trial
14 happened.	14 back in April of 2002, around your sentencing?
15 Q. Just the bit about how he was not --	15 A. I don't.
16 Mr. Lyle could not testify for you?	16 Q. Do you recall that a motion for new trial
17 A. Yeah, not --	17 was filed on your behalf and moved by Lyle Jones?
18 Q. Let me ask my question.	18 A. I found that out after it was already
19 A. Not just that, he said from the beginning	19 done. Like he came to prison and told me of his
20 that I wasn't there, I didn't have anything to do	20 idea of it. And from there on he had his own legs.
21 with it, he don't know why I'm here. This is -- he	21 He said he did an investigation, yeah.

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1 Q. Did you ever read the motion that he filed 2 on your behalf? 3 A. After. 4 Q. Afterwards? 5 A. Afterwards. 6 Q. Okay. And you said that you were not 7 afraid of Namey, right? 8 A. I don't know, there wasn't anything for me 9 to be afraid of. 10 Q. Would it surprise you to know that in that 11 motion for new trial it says that you were afraid 12 of -- that you knew Charles Floyd was the shooter 13 but withheld this information for fear of bodily 14 harm? 15 A. I was surprised to read that when I read 16 it. 17 Q. Okay. And then that motion for new trial 18 was ultimately denied by the court, do you recall 19 that? 20 A. Don't know. 21 Q. You didn't get a new trial?	1 was he ineffective? 2 MR. BALLENGER: I'm just going to object. 3 To the best of your ability as a lay person not 4 as a lawyer. Go ahead and answer. 5 A. I can't. I mean my lawyer put that 6 together. 7 Q. You have no recollection of it? 8 A. I mean my lawyer filed my post conviction. 9 Q. But do you believe that he was 10 ineffective? 11 A. Absolutely. 12 Q. Okay. So can you tell me in your own 13 words why you thought he was ineffective? 14 A. I mean when you come to trial and you 15 don't have simple things as my co-defendant's taped 16 statement. Like I never seen that. I didn't see 17 that until ten years later. Never seen it. And 18 that information in there would have been definitely 19 helpful at that time. When you come to court and 20 your most important witness that you call is a lady 21 who claimed to talk to the guy prior to the shooting
	Page 111
1 A. Yeah, right, no trial. 2 Q. And there was -- I believe this was also 3 reviewed by the Court of Special Appeals and they 4 denied it as well at some point later; is that 5 right? 6 A. I don't know nothing about that. 7 Q. But you remember that there were appeals 8 filed on your behalf in the case? 9 A. I don't recall no appeals from that motion 10 for new trial. I don't. 11 Q. Did you file a petition for post 12 conviction relief at some point? 13 A. I did. 14 Q. And were you represented by counsel or is 15 that something that you wrote yourself? 16 A. No, counsel did that. 17 Q. Okay. And you were alleging that Mr. Lyle 18 Jones was ineffective? 19 A. Yes. 20 Q. And I mean without going through the 21 specific claims, do you recall what you said -- why	1 but you somehow don't got the eyewitness who said he 2 seen the shooting, it's nowhere. He wasn't even 3 mentioned in trial. That is ineffective. 4 Q. Okay. What if anything else? 5 A. I mean does there have to be anything 6 else. Off the top of my mind. I can go deeper but 7 that's the facts -- 8 Q. I'm asking, what if anything else did you 9 believe was ineffective? 10 A. He asked for -- he tried to subpoena a 11 witness in the middle of trial, got denied. Like he 12 absolutely wasn't prepared to take that trial. 13 Q. What witness did he try to subpoena in the 14 middle of trial? 15 A. Dina Wilson. 16 Q. Anything else that you can think of right 17 now while you're sitting here as to why he was 18 ineffective? 19 A. I mean, you know, that's my answer. 20 Q. And did you file another petition for post 21 conviction relief after the first one?

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1 A. No, I don't believe so. Not to my 2 recollection.	1 Q. And December 14th of 2020 was your joint 2 petition for writ of actual innocence; is that 3 correct?
3 Q. Okay.	4 A. If that's the year.
4 A. But I had an attorney the whole time.	5 Q. Okay. As a part of the answer to
5 Q. It's possible one was filed on your 6 behalf?	6 interrogatories that I showed you, Exhibit 2, there 7 are -- there were some questions about physical, 8 mental, emotional distress while you were 9 imprisoned. And that's why you're seeking damages
7 A. A double post conviction.	10 in this case. I'm going to ask you a couple 11 questions relating to. So as to the physical 12 distress, so first of all you were at -- you were 13 housed in different places while you were in the
8 Q. A supplemental petition?	14 DOC?
9 A. I guess it's possible.	15 A. Yes.
10 Q. And in September of 2011 there eventually 11 was a motion for a new trial hearing in your case; 12 is that right?	16 Q. Can you tell me what you recall where you 17 were?
13 A. There was.	18 A. At what time?
14 Q. And do you recall which witnesses 15 testified on your behalf?	19 Q. During the entire time. So where did you 20 start and where did you go?
16 A. Yes.	21 A. I went from Maryland House of Corrections,
Page 115	Page 117
1 A. Oh, yes, Dina Thomas.	1 maximum security facility, to the Maryland House of
2 Q. And who represented you at that hearing?	2 Corrections Annex, maximum security facility, to
3 A. Andrew Robinson.	3 North Branch Correctional Institution, ultra maximum
4 Q. And that was denied by a judge in 2012?	4 security, to finally making it the last year of my
5 A. It was denied for sure. I don't know what	5 incarceration to MCII medium which I was
6 year it was.	6 subsequently released from.
7 Q. And you made mention of the -- the MPIA 8 request and you obtaining subsequent statements from 9 Dewey Morgan. Do you recall testifying about that?	7 Q. I believe you said the first one was 8 Maryland House of Corrections?
10 A. Yes.	9 A. Yes.
11 Q. Okay. And was a claim made on your behalf 12 arguing a Brady violation. If you know this, I'm 13 asking. Do you know whether or not you know of a 14 Brady violation?	10 Q. And where is that physically located?
15 A. For sure.	11 A. It don't have a location no more, they 12 knocked it down, but it was in Jessup.
16 Q. And that was filed in 2015 on your behalf?	13 Q. That was at Jessup?
17 A. On my behalf.	14 A. Yes.
18 Q. In your case?	15 Q. And your family at that time lived in
19 A. In my case, I'm sure.	16 Baltimore?
20 Q. And that was denied by the court?	17 A. Yes.
21 A. Yeah.	18 Q. Okay. So that's about a 25 minute drive?
	19 A. Yeah, something like that.
	20 Q. Now, I'll just -- start with Jessup. What 21 violence did you observe while you were at Jessup?

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1 A. I was a victim of violence in Jessup. I 2 got this nice scar right here from the Maryland 3 House of Corrections Annex. I mean Maryland House 4 of Corrections. In my sleep too.	1 A. No. 2 Q. Could you take a moment to look at it. So 3 this is a little difficult to read at times. I'm 4 just going to ask you to turn to the last page.
5 Q. So tell me about that incident, what do 6 you recall?	5 A. Yeah. 6 Q. So at the very -- at the bottom, the last 7 paragraph it says, it looks like, AIP, colon. Do 8 you see that?
7 A. I recall sleeping and waking up to a big 8 wide gaping -- gaping scar on my face.	9 A. Last page. 10 Q. Yes. On the very back last page, sorry. 11 If you could turn to the back because these are two 12 sided pages.
9 Q. So obviously -- did somebody contact you 10 to take you to receive medical treatment?	13 A. All right. 14 Q. So the last paragraph there, do you see 15 where it says facial laceration?
11 A. Yes.	16 A. Yes. 17 Q. Okay. It says "will close." There is 18 some medical jargon, but the last sentence it says 19 "F/U five days for suture removal." Is that an 20 accurate description of what treatment you had to 21 receive after leaving the system?
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1 A. Yeah, it was an open dorm. 2 Q. It was an open dorm. Where were you taken 3 for medical treatment? 4 A. I believe to the University of Maryland. 5 Q. University of Maryland Medical Center? 6 A. Yes. 7 Q. And how long were you there when you 8 received treatment? 9 A. Few hours. A plastic surgeon came through 10 and stitched me up pretty good. 11 Q. Were you admitted to the hospital for 12 treatment or were you just treated in the -- like in 13 the -- were you just treated in and out within a 14 couple hours? 15 A. Yeah, treated in and out within a couple 16 of hours. 17 (Deposition Exhibit 3 marked.) 18 Q. Showing to counsel Exhibit 3. Mr. Thomas, 19 if you could take a quick moment to look at 20 Exhibit 3. I'm not sure, have you seen this 21 document before?	1 A. Yes. 2 Q. Okay. Did you have to go back to receive 3 any further medical treatment for that laceration, 4 other than just the suture removal? 5 A. No. Pain medications. 6 Q. And what type of pain medications did you 7 take? 8 A. I don't recall. 9 Q. Do you recall if it was opiates or 10 anything that had to be prescribed? 11 A. I believe that it was a prescribed dose. 12 It wasn't like an Ibuprofen or nothing. 13 Q. Okay. And, again, this is while you were 14 at MHC? 15 A. Yes. 16 Q. Jessup. Okay. And how many stitches did 17 you receive? 18 A. Twenty in, 20 out. So 40 altogether to my 19 recollection. 20 Q. When you say 20 in, 20 out, what do you 21 mean by that?

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1 A. I didn't understand the language either, 2 but he said he had to stitch 20 inside my jaw and 3 then close it with 20 more.	1 Q. Do you remember what year that was? 2 A. I don't. 3 Q. Okay. Was it in the beginning of your
4 MR. BALLENGER: For the record, that's 5 typical subdural stitching followed by them, 6 just to let you know.	4 time there or was it middle? 5 A. Pretty much in the beginning. 6 Q. The beginning?
7 Q. So that's -- obviously you were a victim 8 of violence there. Were there any other incidences 9 in which you were a victim of violence while you 10 were there?	7 A. Yeah, the first year or so there. 8 Q. Okay. So -- I'm sorry, what happened that 9 caused the injury?
11 A. In that prison?	10 A. A guy ran up on me and started trying to
12 Q. In that one, yes.	11 punch me, and we got into an altercation. And him
13 A. No.	12 rushing me, it made me -- it tore my lateral
14 Q. Okay. And did they ever -- they didn't 15 apprehend whoever did it?	13 collateral ligament. My knee blew up. And it was
16 A. No, they just moved me.	14 crazy. And they -- and their subpar medical
17 Q. They just moved you. Where did you get 18 moved to after that?	15 treatment allowed my knee to heal weird and it just
19 A. Next door.	16 took a long time for me to be able to actually like
20 Q. To another dorm?	17 do things just normal with my leg.
21 A. No, to the Maryland House the Corrections	18 Q. Who was it that you got into this 19 altercation with that ran up to punch you?
	20 A. I don't know. Some guy that had a problem 21 with one of my friends.
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1 Annex.	1 Q. And do you know if he was disciplined as a
2 Q. That's the Annex. How long were you at 3 the Annex for?	2 result of this?
4 A. For approximately about four years.	3 A. Yeah, I never seen him again in there.
5 Q. Were you a victim of violence while you 6 were there?	4 Q. Any other injury, physical injuries while
7 A. Physically or mentally?	5 you were at Northern Branch?
8 Q. Physically.	6 A. Yes.
9 A. No.	7 Q. Okay. Tell me about the next one?
10 Q. Okay. After the annex, where did you go 11 after that?	8 A. They starved me for days. The
12 A. North Branch Correctional Institution.	9 correctional officers did. Which automatically led
13 Q. While you were at North Branch	10 into a big investigation that ultimately led to the
14 Correctional Institution were you physically the	11 Warden being escorted out of there. Just because of
15 victim of any violence?	12 that.
16 A. Yes.	13 Q. When was that?
17 Q. Could you describe that?	14 A. The year was -- I don't recall the year.
18 A. Yes. My -- tried to attack me and I tore 19 my LCL but they didn't go give me no medical	15 Actually I don't.
20 treatment for. It took me about four years to get 21 my knee back right.	16 Q. Was that in the last decade?
	17 A. No, it was -- it was -- I was in there for
	18 11 and a half years, and things in that jail was
	19 constant what they were doing. So everything is bad
	20 about my experience there. So I don't -- so I can't
	21 point out a specific year. They was always doing

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1 something.	1 A. My cell buddy, the person that was in the
2 Q. Do you remember who the Warden was that	2 cell with me.
3 was escorted out?	3 Q. Anybody else?
4 A. Bobby Sheridan.	4 A. No, just us.
5 Q. Bobby Sheridan?	5 Q. Do you know why that happened?
6 A. Yes, Bobby Sheridan. And the same reasons	6 A. Because they said my cell buddy threw
7 that they escorted him was the exact reasons that I	7 trash on the tier, so they decided the penalty
8 put in my complaint.	8 should be starving us for five days.
9 Q. Okay. And then after Northern Branch,	9 Q. Did your cell buddy receive an infraction
10 then you went to MCIIJ; is that right?	10 as a result of that?
11 A. Yes.	11 A. No. Yeah, not being fed was the
12 Q. And did you receive any physical violence	12 infraction.
13 at MCIIJ?	13 Q. There was no hearing or official notice
14 A. No. Covid. Covid attacked me in MCIIJ.	14 that you know of?
15 Almost felt like I was going to die.	15 A. No, no.
16 Q. Did you receive the vaccine while you were	16 Q. Okay. Now, you also mentioned that you
17 there?	17 observed violence within the facilities. And we're
18 A. No. The vaccine wasn't even out then at	18 going to go in chronological order again. Starting
19 that time.	19 with what I'm going to call Jessup, the first
20 Q. So what year did you get Covid?	20 facility you were in, what violence did you observe,
21 A. When was I released, in 2020, right. So	21 did you personally observe?
Page 127	Page 129
1 earlier 2020 I believe. In the beginning of Covid.	1 A. I mean when I first got there, off the
2 Q. And you were treated within the facility?	2 top, I was in my cell and I heard screaming. And I
3 A. I was isolated in the facility, if you	3 later seen the guy running past my cell with -- and
4 want to call that treatment. I was quarantined.	4 every time he touched his skin the skin would just
5 Q. Okay. Now, you also mentioned that -- I'm	5 peel off. Come to find out later that they threw
6 sorry, I forgot to ask a follow-up question related	6 hot baby oil -- boiling hot baby oil on him. And
7 to this. You mentioned that you were starved for	7 any placed that he touched just peeled, like butter,
8 days while you were at I believe it was Northern	8 just removed. That was crazy. And -- yeah, that
9 Branch?	9 was insane to see.
10 A. North Branch.	10 Q. And was that when you were early on at
11 Q. North Branch. How many days was it	11 Jessup?
12 that --	12 A. Early on. That's my introduction to the
13 A. Five.	13 Maryland House of Corrections.
14 Q. -- you didn't receive -- five days?	14 Q. Anything else while you were there?
15 A. Five days.	15 A. Yeah. Multiple stabbings. Hear people --
16 Q. Had you received any infractions around	16 well, I heard that once in the Maryland House of
17 that period of time?	17 Corrections, somebody get raped.
18 A. Absolutely not.	18 Q. You heard that somebody got raped, but did
19 Q. Who else other than you was starved?	19 you witness it?
20 A. My cell mate.	20 A. No, I said I heard it.
21 Q. I'm sorry.	21 Q. You actually heard?

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1 A. I heard it, I listened to somebody getting 2 raped. And these instances happened when I was in 3 the cells. So the dorm was a different experience.	1 done fast. You wouldn't even notice that it was a 2 stabbing, because it looked like he was just running 3 in the yard. Then he ran towards the guy, it was 4 close proximity, then he just ran off and the guy 5 just dropped.
4 Q. Did you personally observe any murders 5 while you were at Jessup?	6 Q. How far were you away from the stabbing 7 happening?
6 A. Two personally.	8 A. About 20, 30 feet.
7 Q. So what did you --	9 Q. And how did you feel after you realized 10 what had happened?
8 A. No, not in Jessup.	11 A. Like wow. Because that guy didn't get 12 caught. Never got caught. Like I seen him every 13 day after that on the compound. So that's how 14 smooth that was.
9 Q. Okay. Let's move now -- any other 10 instance --	15 Q. So you saw who did the murder?
11 A. No, but I seen stabbings and stuff.	16 A. Yeah.
12 Q. Approximately how many stabbings did you 13 see?	17 Q. Okay. And obviously you saw the victim 18 afterwards?
14 A. Numerous. Numerous. That was constant. 15 That was all the time. I seen full out knife fights 16 with groups versus groups. Yeah. Violence was 17 constant in the Maryland House of Corrections.	19 A. Yeah.
18 Q. Daily, weekly, monthly, what are we 19 talking about?	20 Q. Were you scared of the person who did the 21 murder?
20 A. Definitely weekly at least. Got something 21 new for you every week.	
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1 Q. Now, at the Annex, same set of questions. 2 What if any violence did you observe while you were 3 there?	1 A. No.
4 A. Besides just regular stabbings and seeing 5 numerous helicopters come get people. That jail was 6 my first time I ever seen a murder. And that was in 7 the yard. And that was done like -- no, two. Two 8 in the Annex. One I didn't see the murder but I 9 seen the results. I seen them carry -- I seen the 10 dude go to -- go to his destination, come out with 11 handcuffs, and them come out with a real knife, like 12 a knife that flip out that they got from somehow. 13 Uptown, like from -- had to be in the streets. 14 Can't make that in prison. It was a real flip out 15 knife. Them walking up there with that in a bag and 16 them walking with the victim and strolling him up 17 the compound with a sheet over him.	2 Q. Did you have any safety concerns?
18 Q. That's what you saw of one of the murders?	3 A. There wasn't need. We slept in two
19 A. Yeah. And another one -- the first one 20 was when a guy was in the yard and another guy just 21 rolled -- he was standing on the fence. And it was	4 different housing buildings. So only time I seen 5 him is outside of my unit so I had no -- and we had 6 no interaction so wasn't no real reason for me to be 7 like overwhelmingly afraid of him.
	8 Q. But the two of you were in the yard 9 together?
	10 A. Yeah, we was in the yard together that
	11 day, yeah. They actually shut that big yard down 12 for a long time after that though. So we was only 13 out in the individual yards that was connected to 14 our building so that made it difficult for me to see 15 him anyway.
	16 Q. Was there a point in time in which the 17 yard was opened up again and the two of you saw each 18 other?
	19 A. I don't recall.
	20 Q. But you weren't frightened of him?
	21 A. I mean I was -- I was -- I was frightened

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1 of the situation because that guy was about to go 2 home. And this is all documented proof. Like you 3 can go back into their records and show a guy got 4 killed in that timeframe in the yard. I'm not 5 making this up. I was there to see it. This is 6 stuff I can prove. Not making it up in my mind.	1 to go home. Insane. Insane. So the environment 2 was scary and unpredictable, daily. It's a mental 3 institution.
7 Q. And approximately when did this happen?	4 Q. So let's talk about Northern Branch. What 5 violence did you observe while you were there?
8 A. This approximately happened around 9 2005ish, sixish. Both of them. Both of the 10 murders.	6 A. Man, now, North Branch had the highest 7 rate of cell buddy murders I ever seen in my life.
11 Q. So you mentioned that I can go up and look 12 this up myself?	8 Q. Cell body murders?
13 A. Absolutely.	9 A. Cell buddies, two people in the cell.
14 Q. Request the records. My question to you 15 is can you give me as much information as possible 16 about this so if I decide to go look this up I can?	10 Q. Cell buddy murders.
17 A. I just gave it to you. A guy died in the 18 yard. Ain't too many happening that year. That's 19 the only one that happened.	11 A. And one come out alive and the other one 12 is dead. Like on the regular. I know one guy, one 13 guy specifically, that killed three of his cell 14 buddies before they finally decided that they can't 15 put nobody in the cell with him. It took three of 16 them.
20 Q. In 2005?	17 Q. Did you witness any of the murders?
21 A. 2005 or 2006. Then a guy got killed on	18 A. No, I wasn't in the cell with him, but I 19 knew the guys.
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1 lock-up. He was in cuffs. The guy was in cuffs 2 that got killed. And one guy walked down there to 3 kill him. And what happened, that's how he died, 4 because the police ran while he murdered that boy.	1 community. He killed his cell buddy, went to 2 lock-up, came off, they gave him another cell buddy, 3 he killed him too. Then he killed another one.
5 Q. Is this the -- the other murder that you 6 described as seeing the --	4 Q. I just want to make sure I understand this 5 correctly. Were you in when these three murders 6 happened --
7 A. The knife.	7 A. I was in prison, yeah, it happened during 8 my time. I was on the tier with the guy at some 9 point in time.
8 Q. With the folding knife?	10 Q. Were you on the tier with any of these 11 folks while these murders happened?
9 A. Right, yeah.	12 A. I said I was on the tier with the guy who 13 committed the murders.
10 Q. And that was in that 2005 to 2006 period 11 of time as well?	14 Q. So my question is were you on the same 15 tier with him when he committed these murders?
12 A. Yup. Yup. Yup.	16 A. No, I wasn't on the same tier with him 17 when he committed the murders.
13 Q. And how did you feel after witnessing 14 that?	18 Q. What was his name?
15 A. Coincidentally both of them guys was about 16 to go home.	19 A. I don't know his real name. I just know 20 his nick name.
17 Q. Which guys?	21 Q. What is his name?
18 A. The victims.	
19 Q. Victims?	
20 A. So that alone just messes with your head.	
21 Like damn, they died in prison when they was about	

	Page 138	Page 140
1	A. Antmo.	
2	Q. Antmo?	
3	A. Yeah.	
4	Q. And what was Antmo in for if you know?	
5	A. Murder.	
6	Q. Murder?	
7	A. Yeah, he was from the District of	
8	Columbia. So I believe that he had to get locked up	
9	in like Prince George's County or something.	
10	Q. Why. Why?	
11	A. Because that's the only way -- that's	
12	where they go at. When D.C. boys, when they get	
13	locked up in Maryland, they are usually coming from	
14	Prince George's County.	
15	Q. Now, you mentioned obviously these -- I	
16	think you said it was three that he was responsible	
17	for. What other ones?	
18	A. Just them three.	
19	Q. Okay. Did you actually witness any	
20	murders while you were at Northern Branch?	
21	A. Yes.	
	Page 139	Page 141
1	Q. Let's talk about that. What did you	
2	observe?	
3	A. I observed two Mexicans in the big yard,	
4	in our big yard on three and four side, because, you	
5	know, you got four buildings in North Branch. One	
6	and two and three and four. Rec time, three and	
7	four side, broad daylight, two Mexicans beat another	
8	Mexican to death. Stomped him until their white	
9	shoes were red. Until they're tired. Until they	
10	were -- that's how long it took for the police to	
11	get to the yard and finally stop that.	
12	Q. Okay. And where were you -- how far were	
13	you from it happening?	
14	A. Not far at all.	
15	Q. How far?	
16	A. Not many feet. I mean, you know, it was	
17	shocking to see. I stood there about, I don't know,	
18	20 feet away, something like that. I don't know.	
19	Not far.	
20	Q. Okay.	
21	A. Far enough to clearly see it, the detail	

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<p>1 specific day.</p> <p>2 Q. Okay. Any other murders at Northern</p> <p>3 Branch other than these two?</p> <p>4 A. The ones I didn't see that cell buddies</p> <p>5 killed each other. Numerous stabbings. I seen one</p> <p>6 time a dude get hit with a fan motor and almost</p> <p>7 knocked his eye ball out of his head in the kitchen.</p> <p>8 Q. Some guy got hit with a fan motor in the</p> <p>9 kitchen?</p> <p>10 A. Yeah, a fan motor in the kitchen. And it</p> <p>11 took the guy's eye almost out of socket. I mean</p> <p>12 people paranoid to sit down and eat every day after</p> <p>13 that for a long time because it was so sneakingly</p> <p>14 done. It just was like -- and the boy ain't never</p> <p>15 seen it coming. Got cracked in the back of his head</p> <p>16 with a fan motor that weigh about four or</p> <p>17 five pounds. It was nasty. It was bad.</p> <p>18 Q. Were you eating at the time?</p> <p>19 A. Yes.</p> <p>20 Q. And how many people were in the hall at</p> <p>21 that point?</p>	<p>1 Q. In a sock?</p> <p>2 A. That's what it looked like was around it.</p> <p>3 Something white. I assume it's -- I don't know. It</p> <p>4 was covered though. It wasn't shiny metal. He had</p> <p>5 something covering it. But he had the cord wrapped</p> <p>6 around his hand. So yeah.</p> <p>7 Q. All right. So he was using it like a</p> <p>8 blunt force object?</p> <p>9 A. Right, yeah.</p> <p>10 Q. Okay. Any other murders that you</p> <p>11 observed?</p> <p>12 A. Not that I can recall.</p> <p>13 Q. Okay. Then at MCII, did you observe any</p> <p>14 violence while you were there?</p> <p>15 A. Yeah. During Covid specifically one</p> <p>16 extreme gang knife fight that seemed like it lasted</p> <p>17 forever in the dorm. That wasn't a dorm, they --</p> <p>18 because of Covid, they had to turn our building into</p> <p>19 a quarantine building where I slept. So they</p> <p>20 converted the whole gym into a dormitory. And in</p> <p>21 that time, in that dormitory, two gangs got into it</p>
<p style="text-align: center;">Page 143</p> <p>1 A. I don't know because they was like -- I</p> <p>2 was still in the line and there was still peopling</p> <p>3 sitting down. So it was constantly still moving. I</p> <p>4 didn't even get to sit down yet.</p> <p>5 Q. So you had gotten your food but you hadn't</p> <p>6 sat down to eat it yet?</p> <p>7 A. I didn't get my food yet. I was in line</p> <p>8 to get my food.</p> <p>9 Q. Where did the fan come from?</p> <p>10 A. From the fans that they sell on</p> <p>11 commissary.</p> <p>12 Q. Like a ceiling fan?</p> <p>13 A. No, your personal fan that got the blade</p> <p>14 hooked to it. He just took it out of the frame, I'm</p> <p>15 assuming, took the blade off of it, and it already</p> <p>16 has a cord to it, now he just got a heavy motor and</p> <p>17 the cord wrapped around his hand.</p> <p>18 Q. I see.</p> <p>19 A. And concealed into a sock.</p> <p>20 Q. How big was the fan motor?</p> <p>21 A. Like this big.</p>	<p style="text-align: center;">Page 145</p> <p>1 and it was an extremely long bloody knife fight that</p> <p>2 seemingly lasts forever.</p> <p>3 Q. How long did it take for the guards to get</p> <p>4 there?</p> <p>5 A. There was guards that was there</p> <p>6 immediately. They just couldn't do nothing. They</p> <p>7 waited for other guards to come. There was at least</p> <p>8 one guard that's in there, but he ain't moving until</p> <p>9 more back up came. And then they was hesitant to</p> <p>10 really do anything because it was all scattered</p> <p>11 around. And they basically yelled stop before they</p> <p>12 get involved, stop, stop, stop, stop. And then they</p> <p>13 start spraying mace. So, yeah.</p> <p>14 Q. Did mace disperse the fight or stop it?</p> <p>15 A. It did. It did.</p> <p>16 Q. How long did it take until the mace was</p> <p>17 deployed?</p> <p>18 A. I would say from the time that they got</p> <p>19 there, they might have yelled stop for about a good</p> <p>20 minute, 60 seconds, maybe a little longer, stop,</p> <p>21 stop, stop, before they start deploying the mace.</p>

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<p>1 Q. How long had the fight been going on 2 before that happened?</p> <p>3 A. A good four minutes. And that seemed like 4 forever just watching people stabbing each other.</p> <p>5 Good four, five minutes.</p> <p>6 Q. To your knowledge did anybody die?</p> <p>7 A. Nobody died. Nobody died.</p> <p>8 Q. Were you -- were you a physical victim of 9 that fight?</p> <p>10 A. No, I wasn't. But once again I got cut in 11 my sleep. So just stuff like that. Just made it 12 mentally hard for me to be around, especially in 13 open areas like that. So it just -- the mental 14 effect of all that just was a lot. Still affected 15 to the day.</p> <p>16 Q. So let's -- okay. So that's going to be 17 my next set of questions has to do with your mental 18 and emotional distress. For the first facility, so 19 Jessup, could you describe the -- your emotional and 20 mental distress that you experienced while you were 21 there?</p>	<p>1 A. It was heightened by the -- by the 2 constant aggressive nature of the environment. How 3 anything can happen for any small reason. How it 4 seems like a lot of these guys shouldn't even be in 5 prison but put away in mental institutions. What I 6 realized is that that's not happening. The mental 7 institution is prison. So you got full fledged 8 psychos walking around that don't -- that seemingly 9 shouldn't be walking around. You know, people 10 trying to rehabilitate and things, because they 11 can't be rehabilitated. They are mentally messed 12 up, running around prison savagely.</p> <p>13 Q. So you were around a number of individuals 14 who needed mental health treatment, is that fair to 15 say?</p> <p>16 A. Absolutely. Then I realize -- that too, I 17 learned that, that that's what was happening. There 18 is no -- it's once they label you criminal, there 19 ain't no psychological evaluations for your mental 20 state, you're going to prison, regardless of what 21 you do. So them people that needs mental health</p>
<p>1 A. I came in with mental distress, came in 2 with it the day that they said guilty. So I was 3 already a little off from that, from guilty to 4 walking in there. And then seeing how prison is. I 5 never been in prison before. Seeing how it was and 6 how people are in maximum security prison at least. 7 Because it was different in medium I noticed when I 8 finally got there 19 years later, that they two 9 different leagues of being incarcerated.</p> <p>10 Q. Just a follow-up question. You're talking 11 about the difference between max and medium 12 security?</p> <p>13 A. Yeah, there is a big difference.</p> <p>14 Q. Sorry, I didn't mean to interrupt you. 15 So, again, you're at the initial facility, your 16 mental and emotional distress there. So after -- 17 you talked about I guess the initial distressed you 18 experienced while you were entering?</p> <p>19 A. Right.</p> <p>20 Q. So if you could describe what the stress 21 was once you were physically there?</p>	<p>1 treatment are right there around you. They putting 2 them in the cell with you because you don't choose 3 cell buddies. We can talk about that, the many 4 deranged cell buddies I had that was forced upon me.</p> <p>5 Q. Mr. Thomas, it's important you listen to 6 the question that I ask you.</p> <p>7 MR. BALLENGER: I object. I think he was 8 answering it very well. You asked him what 9 psychological -- excuse me, you asked him what 10 psychological experiences he had. You gave him 11 a wide open question and he's giving you a wide 12 open answer.</p> <p>13 MS. GOO: And I didn't interrupt him, I'm 14 just trying to ask follow-up questions.</p> <p>15 MR. BALLENGER: You did. That's what I'm 16 saying.</p> <p>17 Q. Mr. Thomas, you started talking about your 18 deranged roommates. So my question to you in terms 19 of your experience, this is the follow-up question 20 to that, how did being around persons who needed 21 mental health treatment affect you emotionally and</p>

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<p>1 psychologically?</p> <p>2 A. It made me have to work overtime on my</p> <p>3 survival skills. It make me have to adapt, have to</p> <p>4 find different methodologies and not to piss</p> <p>5 somebody off or not. Or to be some type of</p> <p>6 psychiatrist to their issues or anything to survive</p> <p>7 the moments. Constantly, constantly. You got to</p> <p>8 keep going changing your way of being to be around</p> <p>9 certain people. You can't be one way, you got to be</p> <p>10 adaptive to survive. I was constantly for 20 years</p> <p>11 in survival mode because I wanted to come home. I</p> <p>12 didn't want to end up getting killed or having to</p> <p>13 hurt somebody. And to be able to do that, I had to</p> <p>14 keep on changing the way I think and the way I got</p> <p>15 to be around certain people, all the time.</p> <p>16 Q. Okay. Now, I asked you that question as</p> <p>17 it related to the first facility you were at. Is</p> <p>18 that the same experience that you had with all four</p> <p>19 institutions you were in?</p> <p>20 A. Through all four institutions. At best</p> <p>21 was toned down slightly at medium security.</p>	<p>1 Q. What about Northern Branch?</p> <p>2 A. Northern Branch was crack me. That did</p> <p>3 it. That was the worst experience by a landslide in</p> <p>4 my life. Like I never experienced -- I experienced</p> <p>5 systemic racism like with what George Vigue did to</p> <p>6 me in a system where they take people like me and</p> <p>7 victimize them and give them charges that they know</p> <p>8 that they didn't do. And that's -- that's systemic,</p> <p>9 it's just the system picking on a nobody. But when</p> <p>10 you talking about outright racism that I felt and I</p> <p>11 experienced out in North Branch, that was a whole</p> <p>12 different experience.</p> <p>13 Q. Okay. So if you could describe that for</p> <p>14 me?</p> <p>15 A. Like I said, they broke every rule. Like</p> <p>16 they not only do things like not feed you, there was</p> <p>17 times they took my showers for a month. There was</p> <p>18 times when they called me nigger. Like that was a</p> <p>19 regular word to say. There was times when I watched</p> <p>20 them, even though the police did kill people in</p> <p>21 North Branch, I never witnessed that, but I</p>
<p>1 Q. Okay. So it wasn't as bad but it was</p> <p>2 still there?</p> <p>3 A. Yeah, it was still there.</p> <p>4 Q. Okay. Now, is there anything else that</p> <p>5 you want to add to your answer about mental or</p> <p>6 emotional distress as to just Jessup first?</p> <p>7 A. I mean I gave you a -- that -- that answer</p> <p>8 I gave you is for my experience in its totality. I</p> <p>9 never -- that was constant. That was -- I had to be</p> <p>10 like that. And it's hard to do that and focus on --</p> <p>11 I had to learn law. I have to -- I had to -- it was</p> <p>12 too much, it was a mental overload. And I'm not --</p> <p>13 I still suffer from the things to today because of</p> <p>14 how much I had to stretch my brain around survival</p> <p>15 mode in prison.</p> <p>16 Q. Now, at the Annex, is there anything that</p> <p>17 you want to add to that answer about emotional or</p> <p>18 mental distress?</p> <p>19 A. I think I did.</p> <p>20 Q. Based off of what you just said?</p> <p>21 A. Yes.</p>	<p>1 witnessed them try.</p> <p>2 Q. How?</p> <p>3 A. All right. A guy -- I watched them going</p> <p>4 into -- because at North Branch, they had toys. I</p> <p>5 call them toys because that's how they played with</p> <p>6 them. Like shock shields. I never seen a shock</p> <p>7 shield before I went to North Branch. I seen them</p> <p>8 use every weapon that I never seen before on people.</p> <p>9 Q. What is a shock shield?</p> <p>10 A. It's a shield that they will run down on</p> <p>11 you with and as soon as it touch you you shocked.</p> <p>12 Q. So it has an electrical shock to it?</p> <p>13 A. Yeah, it's an electric shock shield. I</p> <p>14 seen them bean bag, look like a grenade launcher. I</p> <p>15 have seen them use that on people. I seen them use</p> <p>16 every weapon I never seen in no other prison I seen</p> <p>17 them use on us, in one way or another. And it seems</p> <p>18 like their mace was on steroids. Like they could</p> <p>19 spray that thing a half -- over another ten and it</p> <p>20 swings through your cell and choke you out. Like</p> <p>21 what the hell, that is that. Insane, make you throw</p>

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<p>1 up and all that. It was different there. And there 2 was -- and there was -- it wasn't no rank. Meaning 3 that if a CO1 say something, the Sergeant went with 4 it, the Lieutenant went with it, all the way up. 5 And it was like DOC didn't even exist, like because 6 Reisterstown wasn't -- you wasn't ARP's, they never 7 made it there. In order to write them up, you had 8 to send the ARP home. You had to do this in a 9 timely fashion.</p> <p>10 Q. So let me ask a quick question before you 11 keep going. What is an ARP?</p> <p>12 A. A write-up. Like you want to report 13 something that they are doing, it's called -- what's 14 the abbreviation for the ARP, you all know? I 15 forgot.</p> <p>16 MR. NATHANS: I believe he's talking about 17 when an inmate is reporting violence by a guard 18 or something.</p> <p>19 A. Or anything. Anything. Any mistreatment.</p> <p>20 Q. It doesn't matter what ARP is, I just want 21 to make sure I understand what an ARP is?</p>	<p>1 just -- I could just go story after story. The more 2 I think about it the more stories just keep on 3 popping up to me. Real incidents, documented 4 incidents that happened. They had to move a lot of 5 people out of jail for that incident alone just to 6 stop a war from happening. This is what I 7 experienced at North Branch, outright blatant racism 8 on ten. Them putting their boots on our necks, not 9 giving us our rights, like not feeding us, using 10 food as disciplinary. The only thing they do, they 11 used to make a big thing they called sag food where 12 they used food as a punishment when that's -- that's 13 a violation of -- you can't use food as punishment. 14 That's a Constitutional right for prison, you can't 15 do it. But they did.</p> <p>16 Q. So what was the sag food?</p> <p>17 A. It was called a sag loaf.</p> <p>18 Q. What was it?</p> <p>19 A. It was some type of -- I don't know if it 20 was a potato at its base, but they put like greens 21 and maybe mac and cheese or some type of meat, some</p>
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<p>1 A. Yeah, yeah. So that -- you know that 2 process was stolen from you because you give it to 3 them because they got to sign it. Some CO got to 4 sign it and take it and go through the process. It 5 never happens. Never.</p> <p>6 Q. So you faced difficulty with trying to 7 complain about any of the correctional officers?</p> <p>8 A. Absolutely. Absolutely.</p> <p>9 Q. Officers, sorry.</p> <p>10 A. Absolutely. And they did things like -- 11 there was one time it was an Arian nation guy and 12 they were somehow beefing with the BGF some type of 13 way on lock-up. And how does this happen on 14 lock-up. The guy -- the black guy comes out in 15 handcuffs, in three pieces, how you got to go to the 16 shower. The white guy comes out with no handcuffs 17 and a knife and stabs him. How does that happen on 18 lock-up. This is a real incident.</p> <p>19 Q. Is that something that you saw?</p> <p>20 A. Yeah, this is something I saw. How does 21 that happen on lock-up. That's crazy. But it's</p>	<p>1 type of slop all together and say there you go. 2 Like that's nutritious enough for you and say that 3 was like legal for them to do. When come to find 4 out, no, you can not at no point use food as 5 punishment in prison. But they did it regularly 6 though for anything they didn't like that you did.</p> <p>7 Q. So this punishment with food, was that 8 something you only experienced at Jessup?</p> <p>9 A. That's only North Branch Correctional.</p> <p>10 Q. Sorry, North Branch.</p> <p>11 A. I never seen nothing like that at Jessup.</p> <p>12 Q. Anything else that you want to mention 13 about Northern Branch before I move to the next one.</p> <p>14 A. That's it.</p> <p>15 Q. And the last one is MCIJ. Is there 16 anything else that you want to add in terms of your 17 mental and emotional stress that you haven't already 18 mentioned?</p> <p>19 A. MCIJ I wasn't there for too long because 20 Covid hit and we were pretty much locked down and 21 movement was restricted. And that -- one of the</p>

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1 biggest things I seen was that whole thing in the 2 dorm. 3 Q. The knife fight? 4 A. Yeah. Then I went home. 5 Q. Did you ever witness any hangings while 6 you were there? 7 A. No, I didn't witness. 8 Q. Any of the facilities? 9 A. No. 10 Q. While you were -- I'll go facility by 11 facility. My question has to do with what if any 12 educational vocational courses did you take. What 13 if anything did you take while you were at the first 14 facility, Jessup? 15 A. I got my GED in the first facility. 16 Q. What about at the Annex? 17 A. They didn't -- that prison didn't provide 18 you with further. They gave out a math and a 19 psychology class which gave you some type of 20 credits. I took the psychology but, you know it 21 wasn't like furthering your education, it was more	1 (Off the record colloquy.) 2 VIDEOGRAPHER: We're back on the record. 3 The time is 12:50 p.m. This is media number 4 three. 5 BY MS. GOO: 6 Q. Mr. Thomas, what if any infractions did 7 you receive while you were within the DOC? 8 A. Well, I know throughout my whole 9 incarceration I had three infractions so it ain't 10 hard to remember. 11 Q. What were they? 12 A. The time when the guy attacked me, they 13 don't consider that an attack, they consider that a 14 fight. That one. They charged with me a weapon 15 that was in my cell. And one other infraction, I 16 know -- Oh, North Branch. They lied and said a 17 lollipop that they sold off commissary had drugs in 18 it. Oh, my God. I forgot. How did I forget that. 19 Q. Do you remember the years of these 20 infractions? 21 A. I don't.
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1 like a program than anything else. 2 Q. What about at Northern Branch, did you 3 have any programs? 4 A. The programming -- their racism on my 5 black -- on me. That's the program that I had. 6 Q. And what about at MCII? 7 A. No. 8 Q. Okay. 9 MS. GOO: We okay to go for another half 10 hour? 11 MR. BALLENGER: I could probably take a 12 break if you're going to go that much longer. 13 MS. GOO: Can we go for about like maybe 14 ten minutes and see where we are. 15 MR. BALLENGER: Yeah, I can probably last 16 ten minutes. 17 MS. GOO: I mean we can take a break now 18 if that's easier. 19 MR. BALLENGER: I would prefer. 20 VIDEOGRAPHER: We're going off the record. 21 The time is 12:38 p.m.	1 Q. And you think it's -- and your 2 recollection is it's just those three? 3 A. I know it's just them three. 4 Q. So do you recall receiving some discipline 5 or infraction for possession of a cell phone in 6 October of 2006? 7 A. No. 8 (Deposition Exhibit 4 marked.) 9 Q. So at the very -- if I could just direct 10 your attention to the first page? 11 MR. BALLENGER: She is directing your 12 attention to the first page. 13 A. Yeah. 14 Q. Okay. So at the top it says name, Melvin 15 Thomas. Do you see that? 16 A. I see that. 17 Q. And it says the date of violation there is 18 September 26, 2006? 19 A. Uh-huh. 20 Q. And at the section below there is like a 21 chart there with rule numbers and it says not

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1 guilty, no plea guilty. Do you see that on the 2 first page?	1 search of a person, area or location. So were you 2 found guilty of committing an assault?
3 A. I see it.	3 A. Yeah. We both was found guilty.
4 Q. You see that the Rule 110, the check is 5 next to guilty?	4 Q. All right. And also Rule 312 which was 5 interfering with the search of a person, area or 6 location?
6 A. I see it.	7 A. I don't know what that rule is. I don't 8 know. I don't even know how a search of something 9 is even -- I don't know how --
7 Q. And the one next to the 406 is also 8 guilty?	10 MR. BALLENGER: You answered. You 11 answered.
9 A. Yeah, I see it.	12 Q. And you received a 60 day penalty for 13 that?
10 Q. And next to 120 it says not guilty. Do 11 you see that?	14 A. Yeah, if that's what they say.
12 A. I do.	15 Q. All right. Now, November 9th, 2011, this 16 was the lollipop infraction. This is at Northern 17 Brach?
13 Q. And the Rule 102 is an admission of 14 possession of contraband; is that right?	18 A. Yes.
15 A. According to the paper, yeah.	19 Q. Showing you Exhibit 6.
16 Q. I'm sorry.	20 (Deposition Exhibit 6 marked.)
17 A. According to the paper.	21 Q. If I could direct your attention just to
18 Q. Was that -- do you recall that being 19 admission to contraband?	
20 A. What's the question again? Rule 10 what?	
21 MR. BALLENGER: Do you know what Rule 102	
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1 is?	1 the first page. It says incident description, do 2 you see that?
2 A. No.	3 A. Yeah.
3 Q. Were you in possession of contraband.	4 Q. And would you agree that the record says 5 that "on November 9, 2011 Officer A. Platter CO2 6 brought me, Lieutenant Jake Coleman, one homemade 7 lollipop that was red and white in color with a 8 plastic spoon for a handle, to have tested for 9 suboxone. Using the DTX's instant Buprenorphine 10 test strip, the lollipop tested positive for 11 suboxone." The report reads that, correct?
4 Were you found guilty of possession of contraband?	12 A. That was a lie.
5 A. Yeah, I was found guilty of possession.	13 Q. How do you know it was a lie?
6 Q. All right. Now, in August -- you 7 mentioned a fight that you were involved in?	14 A. Because what was that, two years later, 15 the officer -- I knew it was a lie. There was no 16 drugs in the lollipop, one. And the officer who 17 said that she found it, she apologized to me for it.
8 A. Yes.	18 There was no test done. Wasn't no -- she apologized 19 for that. It took her years to do it but she did 20 it. That's her name there. Yeah.
9 Q. Okay. And you said you just didn't 10 remember the date of that?	21 Q. You would agree that the report reads that
11 A. I did.	
12 Q. And do you remember who you were in the 13 fight with?	
14 A. I don't remember his name, no.	
15 Q. Do you recall it being Damon Atkinson?	
16 A. Damon, that sounds familiar to me.	
17 Q. And there was an admission to -- actually 18 showing you Exhibit 5.	
19 (Deposition Exhibit 5 marked.)	
20 Q. And you would agree that you were found 21 guilty of committing assault and interfering with a	

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1 an instant test was done, correct?	1 a --
2 A. That's what the report says. But you	2 MR. BALLENGER: Sprint.
3 heard what I said though, right.	3 A. A sprint, full out sprint and catch up.
4 (Deposition Exhibit 7 marked.)	4 I'm not doing that. You going to keep on
5 Q. And do you recall on September the 4th,	5 humiliating and demeaning me.
6 2012 receiving an informal resolution, ten day cell	6 Q. You had other additional infractions; is
7 restriction, for entering a location without	7 that correct, after that?
8 authorization and/or leaving an assigned location	8 MR. BALLENGER: At North Branch?
9 without authorization?	9 A. At North Branch?
10 A. I don't recall.	10 Q. At North Branch, yes.
11 Q. Showing you Exhibit 7. Okay. So in	11 A. I'm sure.
12 Exhibit 7 do you recall essentially being outside of	12 Q. Do you recall on June 10th, 2018 receiving
13 your cell when you weren't supposed to be and	13 discipline for possessing alcohol. I'm sorry, hold
14 receiving an informal resolution for that?	14 on, let me make sure I get this right. Yes,
15 A. I don't recall.	15 possession or use of alcohol without authorization?
16 Q. Okay. You would agree with me that's what	16 A. I don't. But, you know, they say I did.
17 this exhibit says?	17 (Deposition Exhibit 10 marked.)
18 A. That's what it says.	18 Q. Showing you Exhibit 10.
19 Q. And you received two more of those	19 A. What happened with that? Another informal
20 entering locations without authorization in 2013 on	20 deposition. No lock up time, no nothing. That -- I
21 May 26th and May 29th?	21 went on no segregation for none of this stuff you're
Page 167	Page 169
1 A. Where was I in 2013? North Branch. I'm	1 bringing up.
2 sure.	2 Q. Mr. Thomas, I'm going to ask that you turn
3 Q. So on May 26, 2013 you were at Northern	3 to page three of this document. It's titled
4 Branch and you were outside of an area you weren't	4 Admission of Substance Use, in Exhibit 10?
5 supposed to be?	5 A. In this.
6 A. If they said it. You know how that goes.	6 Q. Do you see in the upper left-hand corner,
7 Q. Showing you Exhibit 8.	7 it says inmate name, Melvin Thomas. Do you see
8 (Deposition Exhibit 8 marked.)	8 that?
9 Q. So you would agree that the report says	9 A. I see it.
10 that on May 26th you were entering a location	10 Q. And at the bottom there is a signature
11 without authorization, correct?	11 that says inmate's signature. That's your
12 A. That's what the report says.	12 signature?
13 Q. And the same thing three days later on	13 A. Look like it.
14 May 29th?	14 Q. And the paragraph above it says "I admit
15 A. What is this, a formal deposition again?	15 that I used a substance for which I had tested
16 Q. So on May 29th of 2013 you accepted --	16 positive as reflected above. I understand that
17 whereabouts you accepted an informal resolution?	17 because I admitted to using the substance, a GCMS
18 (Deposition Exhibit 9 marked.)	18 confirmation test will not be conducted. I will
19 A. What they used to do is like we animals,	19 accept the sanction to be imposed by the Division of
20 try to close doors fast, we might be coming out the	20 Correction as a result of my truthful admission of
21 shower or the day room, and expect me to haul -- do	21 substance abuse." And you signed that on June 10,

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1 2018; is that correct?	1 A. I did.
2 A. That's what it look like.	2 Q. And you also pled guilty to using
3 Q. And you admitted to possessing, I believe	3 Buprenorphine while you were in jail?
4 you said it was a weapon, in October of -- but you	4 A. You said they said I pled guilty to that?
5 didn't remember the date; is that right?	5 Q. Yes. Did you.
6 A. That's right.	6 A. I don't recall.
7 Q. Showing you Exhibit 11.	7 Q. Showing you Exhibit 12.
8 (Deposition Exhibit 11 marked.)	8 (Deposition Exhibit 12 marked.)
9 Q. And if you could turn to the third page,	9 A. What page did you want me to look at.
10 which is titled Inmate Waiver of Appearance with a	10 Q. If you could turn to page -- page four,
11 Plea Agreement?	11 keeping in mind it's double sided. It's titled
12 A. What is this? For what?	12 Affidavit for Admission of Substance Abuse. It's
13 Q. So do you see that page, Inmate Waiver of	13 this page here?
14 Appearance with a Plea Agreement?	14 A. Okay.
15 A. What, the knife?	15 Q. Okay. So at the top you see it says
16 Q. I'm asking you, are you on that page?	16 Melvin Thomas?
17 A. What page?	17 A. Yes.
18 Q. The third page that says Inmate Waiver of	18 Q. And date collected, November 11, 2019.
19 Appearance with a Plea Agreement?	19 And the screening test results say Buprenorphine?
20 A. Okay. What you want me to see?	20 A. I see it.
21 Q. I'm asking you to turn to that page, it's	21 Q. So you admitted to the positive result of
Page 171	Page 173
1 this third page?	1 Buprenorphine on November 11th, 2019; is that
2 A. Okay.	2 correct?
3 Q. Okay. So it says here inmate, Melvin	3 A. It said what? It said I admitted?
4 Thomas. Do you see that at the top?	4 Q. It says -- well, first of all let me
5 A. I do.	5 direct your attention to the offender signature. Is
6 Q. And it says "the subject inmate informed	6 that your signature at the bottom?
7 me that they wished to waive an appearance before	7 A. That's my signature.
8 the hearing officer and accept a plea agreement in	8 Q. Above that it says that you "solemnly,
9 the case pleading guilty." Do you see that?	9 under the penalties of perjury, and upon personal
10 A. I do.	10 knowledge that the contents of the foregoing
11 Q. Okay. And this is for -- the date of this	11 affidavit are true". Do you see that? So you're
12 report was October 22nd, 2019. Do you see that?	12 agreeing that by signing you're testifying that this
13 A. Okay. I see.	13 is truthful?
14 Q. Okay. So if you could turn to the	14 A. I don't see it as that.
15 fifth page, which is the next page after that. And	15 Q. I'm sorry.
16 you see a description of the notice of the rule	16 A. I don't see it as that.
17 violation which occurred on October 22nd, 2019. Do	17 Q. Then why did you sign it?
18 you see that?	18 A. Because he asked me to sign it.
19 A. I see it.	19 Q. Okay. And it says, the paragraph above
20 Q. Okay. So you pled guilty to the	20 that, it says "I understand that I'm entitled to
21 possession of the weapon offense?	21 have the sample I submitted for testing sent to a

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1 laboratory for a second test to confirm the presence 2 of the substance for which I have tested positive. 3 I waive or give up my right to have a confirmation 4 test conducted. I acknowledge that the positive 5 result generated by the initial onsite testing 6 device is accurate and I admit that I used the above 7 substance while under the custody of DPSCS."	1 recall that? 2 A. I recall that. 3 Q. And, again, you have to keep your voice up 4 just a little bit. Thank you. And you said you had 5 not reviewed this motion prior to it being filed 6 with the court; is that right? 7 A. That's correct. 8 Q. I'm showing you Exhibit 13. 9 (Deposition Exhibit 13 marked.)
8 A. I don't remember this. 9 Q. And that is your signature below though, 10 correct? 11 A. It is. 12 Q. Okay. And did you distribute 13 Buprenorphine or suboxone while you were in jail? 14 A. No. 15 Q. Never discussed selling it at all? 16 A. No. 17 MS. GOO: I think now would be an 18 appropriate time for a lunch break. 19 MR. BALLENGER: Sure. 20 VIDEOGRAPHER: We are going off the 21 record. The time is 1:11 p.m.	10 Q. If you could just take a look at that 11 document for a moment. I'm going to direct your 12 attention to the second page, the last paragraph. 13 And it says -- the paragraph starts with "defendant 14 is familiar." Do you see that? 15 A. I do. 16 Q. So it says "defendant is familiar with the 17 individual who shot Mr. Brockington. His name is 18 Charles Floyd. Prior to trial, Mr. Floyd admitted 19 to defendant that he was the shooter." So I'm going 20 to stop there and ask this question. Is that 21 information true?
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1 (Off the record colloquy.) 2 VIDEOGRAPHER: We are back on the record. 3 The time is 1:54 p.m. This is media number 4 four. 5 BY MS. GOO: 6 Q. Good afternoon, Mr. Thomas. 7 A. Good afternoon. 8 Q. Mr. Thomas, I just wanted to get some 9 clarification on one -- one fact that -- I don't 10 think I got on the record earlier. Now, your 11 brother, Blake Thomas, you mentioned that he was 12 incarcerated for something about -- prior to your 13 incarceration; is that right? 14 A. That's right. 15 Q. Okay. At the time of the Myron 16 Brockington's shooting, was he in jail or on the 17 street at that point? 18 A. He was on the street at that point. 19 Q. He was on the street at that point. Okay. 20 Now, we had discussed the motion for new trial that 21 was filed on your behalf by Lyle Jones. Do you	1 A. That is not true. 2 Q. That is not true? 3 A. No. 4 Q. Okay. And then going forward it says, 5 "defendant, knowing Mr. Floyd's violent nature, 6 believed that disclosure of the information would 7 bring retribution for himself and possibly his loved 8 ones in the form of serious bodily harm or death." 9 Is that sentence true or false? 10 A. That's false also. 11 Q. Now, you mentioned that you used the jail 12 call system to contact loved ones while you were in 13 jail; is that correct? 14 A. That's correct. 15 Q. And could you just talk about how the call 16 system works. Like walk us logically what 17 happens if you needed to make a phone call? 18 A. You get the phone. You -- I believe that 19 you punch in your I.D. number or something like 20 that, and you dial the person's number that's on 21 your phone list.

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<p>1 Q. But you have to put an I.D. number in 2 first?</p> <p>3 A. I believe so, yes.</p> <p>4 Q. Okay. Now, was the I.D. number that you 5 put in your own I.D. number or could you use any 6 I.D. number?</p> <p>7 A. I don't understand the question.</p> <p>8 Q. I'm sorry.</p> <p>9 A. I don't understand your question.</p> <p>10 Q. So you have to put in an I.D. number to 11 make a call?</p> <p>12 A. Right.</p> <p>13 Q. And the number that you use to make a 14 phone call that you put in, is that supposed to be 15 your I.D. number or could you use anybody else's 16 I.D. numbers?</p> <p>17 A. What you mean by use anybody else's. Only 18 way you're able to use somebody else's is if you 19 have their information. And then on top of that 20 then you have like phone lists, meaning that you can 21 only -- you only required to make phone calls on the</p>	<p>1 numbers on their list.</p> <p>2 Q. What do you mean by your numbers on their 3 list?</p> <p>4 A. Like if he got a specific -- I think the 5 limit is like eight numbers that you can call or 6 something like that. I'm not sure. But if you got 7 eight numbers on his list, am I calling his family 8 members or his friends? I don't understand the 9 question.</p> <p>10 Q. But it's possible if you have that 11 information?</p> <p>12 A. It's possible, yes.</p> <p>13 Q. While you were in, did you ever use 14 anybody else's I.D. numbers?</p> <p>15 A. Yes.</p> <p>16 Q. You did?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And how often would you use other 19 people's I.D. numbers to make phone calls?</p> <p>20 A. I don't recall.</p> <p>21 Q. But you had used it?</p>
<p>1 list of people that's on your list.</p> <p>2 Q. Okay. So you could use somebody else's -- 3 I just want to make sure I understand it. So if you 4 use somebody else's I.D. number to call, you can 5 only call a set amount of people with that number 6 because it's got to be on a pre-approved list; is 7 that right?</p> <p>8 A. That's correct.</p> <p>9 Q. Okay. So you had a certain number of 10 people that you were allowed to call?</p> <p>11 A. Yes.</p> <p>12 Q. And if you used somebody else's I.D. 13 number then you would have to know again who 14 specifically is on their list to make that phone 15 call?</p> <p>16 A. Meaning that who is on their list?</p> <p>17 Q. So that's my question to you. Could you 18 use somebody else's I.D. number to make a phone 19 call?</p> <p>20 A. It's possible. You would have to go 21 through knowing their information and having your</p>	<p>Page 179</p> <p>1 A. I had done it before.</p> <p>2 Q. And why did you use someone else's I.D. 3 number to make phone calls?</p> <p>4 A. Because let's say I called somebody and I 5 want to call them back. And I can't call back to 6 back with my number. But if you didn't use the 7 phone, then I can call them back to back off his 8 number, if you allow me to, and you may have -- a 9 person, that same person that I wanted to call on 10 your list. So that's -- that's the only way 11 possible that that can happen, that I can see.</p> <p>12 Q. Are those the occasions in which you might 13 have called somebody back to back using another 14 persons I.D. number?</p> <p>15 A. Those occasions, yeah.</p> <p>16 Q. Do you recall how many other SID numbers 17 you did use.</p> <p>18 A. I don't.</p> <p>19 Q. And do you remember what those numbers 20 were?</p> <p>21 A. I don't.</p>

<p>1 Q. Do you recall how many other different 2 numbers you used, two, more than five?</p> <p>3 A. I don't.</p> <p>4 Q. Was it a big number, was it a small 5 number?</p> <p>6 A. Small number.</p> <p>7 Q. Less than ten?</p> <p>8 A. Yeah, less than ten I'm sure. You saying 9 through the span of 20 years?</p> <p>10 Q. Over the span of 20 years.</p> <p>11 A. Yeah, I don't know. I would still 12 probably say less than ten.</p> <p>13 Q. So would you ever do it so that you -- 14 your phone call wouldn't be recorded under your 15 name. So a conversation, would you try to avoid 16 having a conversation with somebody recorded under 17 your name?</p> <p>18 A. No, because there is no -- all phone calls 19 are recorded. You can't hide a phone call. They 20 say that, regardless whose name you use, all calls 21 are being recorded. So there ain't no way to hide a</p>	<p>1 that seems like a perfect opportunity -- this is 2 what I believe. I believe that it is -- that Myron 3 Brockington was actually sitting next to me in 4 court. Like I was free. I wasn't incarcerated, I 5 was out on bail. He came and sat next to me with 6 his daughter. I didn't know it was him, he did not 7 know it was me. The State's Attorney made him -- 8 got him from stop sitting next to me. He had a 9 whole conversation with my daughter's mother. Our 10 daughters was the same age. How do I know that, 11 because I was listening to the conversation that he 12 was having with my -- with my daughter's mother. 13 This happened in real-time. So I was looking at 14 him. I never seen him before, he never seen me 15 before. But to then to go on the stand and point to 16 me and say it like he -- like he knew me was strange 17 to me. It was always strange. So I'm thinking that 18 wherever -- whatever he did, I have to think that he 19 was made to do it. I had to think that. Because I 20 didn't ever see him before and he didn't ever see me 21 before. So why wouldn't I, even -- even after --</p>
<p>1 phone call.</p> <p>2 Q. But they would have to know what SID 3 number to look for, right, if they were looking for 4 your calls?</p> <p>5 A. I guess so.</p> <p>6 Q. And it could -- I mean it could be any 7 number that you're using, right?</p> <p>8 A. Yes, actually.</p> <p>9 Q. Okay. So -- we talked about this briefly 10 but I want to make sure that we're very clear. Did 11 you reach out to -- did you reach out to Myron 12 Brockington while you were in jail?</p> <p>13 A. Absolutely not.</p> <p>14 Q. Okay. But I think your private 15 investigator did reach out to him on your behalf; is 16 that right?</p> <p>17 A. He did, yes.</p> <p>18 Q. And why was it so important for you to get 19 in touch with Myron Brockington?</p> <p>20 A. Like I said, if after what I heard was 21 true that he actually saw the person that shot him,</p>	<p>1 even if I never found out that he seen the shooter, 2 I got to believe, I'm trying to be free, that he's 3 willing to one day tell the truth.</p> <p>4 Q. And you mentioned that you had heard some 5 story about Myron Brockington?</p> <p>6 A. Yeah.</p> <p>7 Q. What was that?</p> <p>8 A. Having interaction with people -- one of 9 the people was the guy that shot him in the flea 10 market.</p> <p>11 Q. So what did you hear about the situation 12 with the flea market?</p> <p>13 A. That one of the guys went to him and said 14 like why did you -- why did you do that to Myron, 15 like those are good guys, so forth and so on. I 16 heard it was a very peaceful conversation. But then 17 the guy who allegedly shot, he not going to say 18 nothing. To my understanding he did walk up and 19 listen to the conversation. So -- and that's the 20 extent to the story that I got.</p> <p>21 Q. And who did you hear this from?</p>

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1 A. One of my cousins.	1 that?
2 Q. Which cousin was that?	2 A. It could have been. Not decades, but it
3 A. Tyreke.	3 could have been within the frame of the first ten
4 Q. And was Tyreke present when this happened?	4 days. Could have been.
5 A. Yes.	5 Q. All right.
6 Q. So is it the guy that went up to Myron?	6 A. But I know it was a long time before that
7 A. Yes.	7 alleged incident and when I hired a private
8 Q. Okay. Do you know why Tyreke went up to	8 investigator to go talk to him because it was --
9 Myron that day?	9 that was -- I just put that on back burner, because
10 A. Because I believe that he knew Myron, like	10 I already had stuff in court. And I just didn't pay
11 in some type of way. Seen him before at least. And	11 it any thought that I could possibly get out without
12 they just happened -- freak coincidence that they	12 even worrying about that.
13 was in the same place at the same time. And he	13 Q. When did you decide that you wanted to go
14 talked to him. And Myron explained to him, to my	14 and look for Mr. Brockington to see if there was any
15 understanding, that that pressure came from the	15 truth to this?
16 police department. And something about his mother	16 A. After the motion for new trial failed me
17 supposedly, if I got the story right, was telling	17 and appeals of that, and I felt as though I don't --
18 him just go ahead and do what they tell you to do	18 I don't have too many more options or bites at the
19 type of situation going on there.	19 apple left, I got to try for -- I got to try. I got
20 Q. And the person who was allegedly the real	20 to try to see if he willing to finally give me some
21 shooter was also present?	21 justice.
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1 A. Yes.	1 Q. How did you meet Mr. Wolfe. Like how --
2 Q. And was he there -- and this was -- and	2 did you find him or did he find you?
3 who was that?	3 A. Well, actually he was previously
4 A. Allegedly, Namey.	4 incarcerated in -- I think it was exonerated -- an
5 Q. Allegedly Namey as in allegedly Namey was	5 individual who started his own private investigating
6 there or --	6 and paralegal firm called The Great Injustice. And
7 A. Allegedly Namey was there. Allegedly	7 he helped quite a few people get home actually. And
8 Namey was there and he's saying he was the shooter.	8 that's how I got turned on to him by other people
9 Q. And who is saying that he is the shooter?	9 who could attest to his reliability and his
10 A. I guess Myron.	10 professionalism and his investigating tactics.
11 Q. And do you recall when that happened?	11 Q. So you learned about if from some other
12 A. I don't.	12 people?
13 Q. This thing at the flea market?	13 A. Yes.
14 A. I don't even think I heard about it until	14 Q. And how did you hire him. Like did you
15 a while after, until somebody came and told me.	15 have to have an agreement with him. Like did you --
16 Q. So was it shortly after -- I'm sure you	16 how did that go about?
17 don't know the specific day, but do you recall like	17 A. Yeah. Donna actually -- crazy how dots
18 was it when you were -- shortly after you had been	18 connect. She actually did his taxes before or
19 found guilty, was it --	19 something, so she knew him. So that was when --
20 A. It was a long time after that.	20 when I finally got his number to -- and I gave it to
21 Q. Like ten years after that, decades after	21 her, I told her to reach out to him to see if he

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<p>1 willing to take the case. When she put the number 2 in her phone, she see she already had him, had the 3 number and knew him. So that was an easy transition 4 to getting him hired, because they already had a 5 working relationship.</p> <p>6 Q. And did you have to pay a retainer fee for 7 him?</p> <p>8 A. Yes.</p> <p>9 Q. And was the agreement for him to find 10 specific people or was it just to see if he could 11 help you out for whatever period of time that you 12 needed him?</p> <p>13 A. The agreement was to help find specific 14 people.</p> <p>15 Q. So who were the specific people you asked 16 him to find?</p> <p>17 A. I know for sure it was Dewey Morgan and 18 Myron Brockington. And -- no, and my -- whoever the 19 owner of My Sally's Place because he did interview 20 her. And then that's how I found out that there was 21 actually footage of that night, that he found that</p>	<p>1 intimate relationship.</p> <p>2 Q. So Myron and Nina were in a relationship 3 together?</p> <p>4 A. Yes. I guess it wasn't like that was his 5 girlfriend, but they had a thing. And so they 6 talked about that type of stuff. And Sally was -- 7 but Nina was, according to Sally, was scared, like 8 very afraid of the whole situation. The fact that 9 they trying -- they got not only Myron to do it but 10 try to get her to do it and the real guy is out 11 there somewhere. That just -- she was totally 12 frightened. She didn't even really want to come to 13 court or nothing. So there was a lot that I found 14 out through his investigations.</p> <p>15 Q. And what is Nina Wilson's aunt's name, the 16 owner of Sally's?</p> <p>17 A. Sally.</p> <p>18 Q. Her name is Sally. What is her last name?</p> <p>19 A. I don't know. I don't know.</p> <p>20 Q. And I'm sorry, to be the clear, the 21 interview that you received a copy of, was that with</p>
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<p>1 out, because he talked to her. And we found out 2 that there was footage that night that the police 3 took. And actually I found that out too, that that 4 was another thing I found out in my Maryland Public 5 Information Act, that there was tapes. And I 6 don't -- and I never seen no tapes. I never heard 7 of them before that. So My Sally -- he got that 8 interview. I got that somewhere. I got that in my 9 paperwork, that she said that the police came in 10 there, they took her tapes, they -- and -- and her 11 niece was Nina Wilson. Her niece was Nina Wilson, 12 and -- and she said that it's crazy because the 13 police tried to meet her also to pick my picture. 14 And I found out that her and Myron was actually 15 like -- I found a lot through his investigation, 16 that they was actually dealing with each other.</p> <p>17 Q. Who was dealing with each other?</p> <p>18 A. Myron and Nina.</p> <p>19 Q. What do you mean by dealing with each 20 other?</p> <p>21 A. Like they had a relationship, a personal</p>	<p>1 Sally that you obtained through the MPIA request?</p> <p>2 A. No.</p> <p>3 Q. It was an interview of who, of Nina?</p> <p>4 A. Repeat that question.</p> <p>5 Q. So you mentioned that there was an 6 interview that you obtained through the MPIA request 7 for the first time talking about the tapes. Who was 8 that interview of?</p> <p>9 A. It wasn't an interview, it was an evidence 10 log.</p> <p>11 Q. An evidence log?</p> <p>12 A. Yeah, evidence log.</p> <p>13 Q. Okay. And that's what showed the tapes?</p> <p>14 A. Yes, that's what showed. The evidence log 15 showed the tapes.</p> <p>16 Q. Okay. Now, did Wolfe speak with Sally as 17 well?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And did he write a report for that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And you have that?</p>

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1 A. Yes.	1 something I never forgot.
2 Q. Okay. And did he also speak with Nina	2 Q. Okay. So at this point in time we're
3 Wilson as well?	3 going to be preparing to play a phone call. This is
4 A. No. No, she was not -- never available to	4 dated -- actually, let me make sure, October 24th,
5 him.	5 2015. It's called D3C218. It is to telephone
6 Q. And he spoke to Dewey Morgan?	6 number (240)979-9124?
7 A. He wasn't able to catch up with him.	7 MR. BALLENGER: Can you repeat the number
8 Q. And what about Myron Brockington?	8 again.
9 A. Yeah, he did.	9 MS. GOO: Yes, it's (240)979-9124.
10 Q. Did he write a report for -- of his	10 MR. BALLENGER: And the date.
11 conversation with Myron Brockington?	11 MS. GOO: Is October 24th, 2015. And
12 A. Yes.	12 we can produce these to you in digital format
13 Q. And do you have that. Not physically here	13 once we're done with this. And we will
14 but do you have that in your possession somewhere?	14 obviously provide plaintiff's counsel with a
15 A. Yeah, I have it in my possession.	15 copy as well. But these were previously
16 Q. Are there any other witness statements	16 produced in discovery. And Mr. Gruen, if we
17 that Wolfe obtained for you?	17 could just play the first minute of the phone
18 A. Sally. Myron. I don't recall off the top	18 call.
19 of my head.	19 AUDIO: Hello. You have a prepaid call.
20 Q. Okay. Do you know -- did you ever contact	20 You will not be charged for this call. This
21 members of your family or either of your girlfriends	21 call is from Melvin, an inmate at the Maryland
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1 and have them reach out to someone who was a	1 Correctional Facility. This call will be
2 girlfriend or baby momma of Myron Brockington?	2 recorded and monitored. If you wish to block
3 A. No.	3 any future calls of this nature, dial seven
4 Q. Did you ask anybody to do anything like	4 now. To accept it. Hey. Hey love. Hey, I
5 that?	5 was talking earlier, right, (inaudible) the guy
6 A. I didn't never know about Myron -- until	6 apologized. You hear me --
7 the day I never knew about the existence of her name	7 Q. Can you pause there for a second. Just
8 to any -- no significant other. No significance to	8 pausing there a second. So there was a male voice
9 my case.	9 in the call. Mr. Thomas, do you recognize that
10 Q. Did you know that he had a baby momma or a	10 voice?
11 girlfriend?	11 A. I don't. I'm trying to catch on to the
12 A. Of course. I mean he was sitting next to	12 voice.
13 me in court with his daughter. And his, I'm	13 Q. Maybe play a little bit further.
14 assuming, baby mother was sitting next to him.	14 AUDIO: (inaudible) somebody knew
15 Q. And when was that court hearing?	15 (inaudible) messed that up, right, gave you
16 A. Trial.	16 (inaudible). Other day he apologized
17 Q. That was for the trial in December of	17 (inaudible) I'm good like February but he good
18 2001?	18 until April. He said he apologized deeply. He
19 A. For the trial, yes. And I know his	19 was (inaudible) the other day, he (inaudible)
20 daughter was two months because he said it. My	20 apologize himself, right. Yeah, Blake tried
21 daughter was two months at that time. So that's	21 the number today, (inaudible).

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1 Q. Pause it for a second. Do you recognize 2 the voice?	1 I (inaudible)see what happens. (inaudible) 2 check back on that girl, see if she out yet. 3 The girl that he bailed out, you know she know 4 where he at. You understand what I'm saying. 5 Remember her. (inaudible) Yeah, his 6 girlfriend. His baby mother I mean. That's 7 the baby mother. He got (inaudible) 8 (inaudible). We don't know that. All we 9 know --
10 A. Right.	10 Q. Okay. So in the first part of that call, 11 again, the male voice which you recognize as your 12 voice?
11 Q. Is that you?	13 A. Yeah.
12 A. That's me, yes.	14 Q. It says "I'm about to ask Donna to check 15 back on that girl and see if she out yet. The girl 16 that he bailed out because she knows where he at. 17 Understand what I'm saying. Remember her, his 18 girlfriend, his baby mother. I mean, yeah, that's 19 his baby mother, she got a child by him." And then 20 I believe it's your mother says, "is he still with 21 her." Is that an accurate representation of the
Page 199	Page 201
1 are you talking about the subsequent colloquy.	1 audio that was played?
2 MS. GOO: The Melvin and then the	2 A. That's what it sounded like, yes.
3 subsequent colloquy.	3 MS. GOO: Okay. Keep going, please.
4 Q. So the Melvin is you, correct?	4 AUDIO: He bailed out, (inaudible) with
5 A. Yes.	5 her or not. That's impossible to know. That's 6 impossible to know. We do know he bailed out 7 recently (inaudible) locked up. So what we 8 going to do is -- what we going to do is find 9 out where she at (inaudible) see if we can 10 break her. Because she is a junky.
6 Q. Okay. Now, in the phone call, the male	11 (inaudible) She is weak. You know what I'm
7 voice that's speaking, that is you speaking, right?	12 saying, she is the weaker one, she is the 13 weakest link, you understand what I'm saying.
8 A. Yes.	14 Q. Pause there. Thank you, Mr. Gruen. In
9 MR. BALLENGER: . Okay.	15 that portion of the call we played is "all we know
10 Q. And there is a reference to a Blake on the	16 is that she bailed her out. We don't know if they
11 call as well, did you hear that?	17 still with her or not. That's impossible to know,
12 A. Yes.	18 that's impossible to know but we do know that he
13 Q. So that's talking about your brother,	19 bailed her out recently that time she was just
14 correct?	20 looked up. So what we're going to do is -- what we
15 A. Yes.	21 going to do is find out where she at and see if we
16 Q. Can we advance this to starting at 21:50	
17 of the phone call, please?	
18 MR. GRUEN: Close as I can get is 21:36.	
19 MS. GOO: 21:36 that's fine. Thank you.	
20 AUDIO: Ain't no (inaudible). Bring some	
21 tape. Understand what I'm saying. That's what	

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<p>1 can break her. You know what I mean. Because she 2 is a junky so she weak. You know what I'm saying, 3 she is the weaker one, she's the weakest link. You 4 understand what I'm saying." Is that an accurate 5 representation of the audio that was played?</p> <p>6 A. That's exactly what was played.</p> <p>7 Q. So what were you describing in your 8 conversation with your mother?</p> <p>9 A. It sounds like I was talking to somebody 10 else, not my mother. But what I was describing in 11 that conversation is, for one, I knew about the 12 court dates and everything else only because that's 13 what -- what came out through the investigation that 14 private investigator was investigating, he said I 15 could see that he bailed somebody out.</p> <p>16 Q. And who is --</p> <p>17 A. And he told -- I believe that he was the 18 one who told me that it was his baby mother. Now, I 19 talked to -- I have to talk to Donna because I can't 20 always talk to Wolfe. And when I'm talking about 21 her being like the weakest link is my lingo is like</p>	<p>1 her?</p> <p>2 A. Because she -- because she can convey -- 3 if I can't talk to Wolfe directly, he was a hard guy 4 to catch up with, sometimes I can say listen, ask 5 him -- if she -- or he update me through her because 6 I can't always call him directly so he will update 7 me through her sometimes. Like this is all I could 8 come up with, you can tell him. And I use that 9 information to sync or respond. And that's just how 10 the correspondence went.</p> <p>11 Q. Did you ever have anybody reach out to 12 Myron Brockington's mother?</p> <p>13 A. That's a possibility.</p> <p>14 Q. You did?</p> <p>15 A. I said that sounds like that could have 16 been a possibility.</p> <p>17 Q. Okay. And I'm sorry, when did you hire 18 Wolfe?</p> <p>19 A. I don't recall exactly what year or 20 timeframe I hired him. I just know I did hire him.</p> <p>21 Q. And why did you ask someone to get in</p>
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<p>1 from -- now, all these years later, anything that 2 she may remember she might be willing to 3 corroborate. That's what I meant by all that.</p> <p>4 Q. So the first question is he said he bailed 5 her out. Who is the he?</p> <p>6 A. Myron, I believe.</p> <p>7 Q. Okay. So Myron bailed this woman out?</p> <p>8 A. This woman out. Because it was records to 9 show that. That was the -- that was the beginning 10 of the, yeah, investigation. That's one of the 11 first things he came up with.</p> <p>12 Q. So you were aware generally of this baby 13 mother, correct?</p> <p>14 A. That's a tricky question because I wasn't 15 aware of her and to -- now you jogging my memory. 16 That's making me think of that now, because she was 17 never used -- I think she was never even talked to. 18 So that didn't even jog my memory. You want to ask 19 the question, I forgot all about her.</p> <p>20 Q. Okay. Now, why -- I'm sorry, why did 21 Donna -- why did you have to call Donna, involve</p>	<p>1 touch with Myron Brockington's mother?</p> <p>2 MR. BALLENGER: I'm going to object. He 3 said he thought it was a possibility. But do 4 your best.</p> <p>5 A. Yeah.</p> <p>6 Q. Yeah. If you did.</p> <p>7 MR. BALLENGER: In other words why would 8 you have, if you did?</p> <p>9 A. Why would I? Because when -- just through 10 conversations and thoughts, they did the interview 11 in their house. So if any -- any -- the police 12 actually interviewed Myron at his house. So any -- 13 if anything went wrong, it went wrong right there in 14 front of his -- in front of his family. So I can 15 throw shots -- I know I'm innocent, so I looked at 16 it as I don't have nothing to lose by questioning 17 anybody.</p> <p>18 Q. So is it fair to say that you were -- if 19 somebody did go to Myron Brockington's mother's 20 house it was for the purpose of seeing if she 21 witnessed anything?</p>

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1	A. Yeah.	1 A. Yeah.
2	Q. Is that your testimony?	2 Q. And who were you talking to. Talking
3	A. Yes.	3 about?
4	Q. If we could cue up, it's called D3C528.	4 A. I don't know. I don't know who I'm
5	This is dated May 27th, 2015, to phone number	5 talking about.
6	(240)979-9009.	6 Q. Okay. If we --
7	MR. BALLENGER: May 15th you said?	7 A. Could you finish playing it?
8	MS. GOO: May 27, 2015.	8 Q. You want to hear more of that portion?
9	MR. BALLENGER: 2015.	9 A. Finish the conversation.
10	MS. GOO: Yes. Just play the first	10 Q. Sure. You want to keep it rolling for a
11	introductory portion.	11 minute.
12	AUDIO: You have a prepaid call	12 AUDIO: Yeah, (inaudible). You understand
13	(inaudible) not be (inaudible) this call is	13 what I'm saying. I mean (inaudible) this man,
14	from Melvin an inmate.	14 that never would have happened, (inaudible)
15	Q. Pause. So -- and is that you saying	15 conducted themselves around me like that. You
16	Melvin?	16 understand what I'm saying. (inaudible)
17	A. That's my -- that's my --	17 getting caught (inaudible) happening like that.
18	MR. BALLENGER: Is that a recorded --	18 I see these (inaudible), just like that.
19	prerecorded statement?	19 (inaudible) around me good time. You
20	A. Yeah, it's prerecorded. That's my I.D.	20 understand what I'm saying. We don't
21	number for sure so far.	21 (inaudible) a reason. (inaudible) brain storm
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1	Q. Okay. And if we could advance it to 25:54	1 and get it. (inaudible) Yeah. And get out --
2	please. Or as best we can.	2 get out (inaudible) situation. There is no
3	MR. GRUEN: I got it 25:46.	3 matter how much they try and look at it
4	MS. GOO: If we can start there.	4 (inaudible) I don't ever, ever. That's how
5	AUDIO: This mother fucker down the	5 (inaudible) all in the approach and how to get
6	middle, huh. (inaudible) while working hard	6 them comfortable and making them work with us
7	(inaudible) how about make him do the right	7 and how -- and for some reason we got to
8	thing. He's a stupid mother fucker. He do the	8 (inaudible) not only doing the right thing
9	right thing we both get us money. Man, you	9 (inaudible) type of way. That's how you keep
10	don't let the police trick you into getting a	10 them on your line. You understand what I'm
11	dude (inaudible) see what I'm saying, nigger,	11 saying. Not only (inaudible) by clean
12	(inaudible). This need to be explained to this	12 conscious but you benefited some other type of
13	punk.	13 way, (inaudible) or whatever. If it's done
14	MS. GOO: Can you pause for a second.	14 right. He blames the police and the prosecutor
15	Q. In the beginning portion of that audio, is	15 right he get me off, and he can get paid for
16	this an accurate representation of the recording.	16 it.
17	"I'm about to make him do the right thing. He's a	17 MS. GOO: We can pause there, please.
18	stupid mother fucker. If he do the right thing we	18 Q. In that last portion of the phone call, is
19	can both get some money, huh." Is that an accurate	19 it an accurate representation of the recording that
20	representation of the audio recording of a portion	20 you said, "and how to get him comfortable and making
21	of what we just played?	21 him work with us now and how and for some reason we

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1 got to make it so not only him to know it's the 2 right thing but also he can benefit from it in some 3 type of way. That's how you keep him underlying. 4 You understand what I'm saying. Not only do you 5 benefit by clearing your conscious but he benefits 6 some other type way whether it's monetary funds or 7 whatever. If done right, he can blame the police 8 and the prosecutor right to get me off and he can 9 get paid for it." Is that accurate?	1 the police anyway. But then for damn sure you 2 going to let them patsy you (inaudible) don't 3 have nothing, good nigger (inaudible) wasn't 4 nothing. See what I'm saying. Come on, dude. 5 But then, (inaudible), because before, you 6 (inaudible) where this angle -- some the angle 7 (inaudible) but fucking bumped you, you know 8 what I mean. (inaudible) to his mother house, 9 I know you said.
10 A. Did I say that? Did I say get paid for 11 it.	10 MS. GOO: Pause.
12 Q. We can replay the statement if that's 13 helpful?	11 Q. Do you recognize the female voice?
14 MR. GRUEN: Back up ten seconds. This is 15 from 27:44.	12 A. Yeah.
16 AUDIO: (inaudible) what happened. If 17 done right, he blames the police and the 18 prosecutor right to get me off, he can get paid 19 for it. You understand what I'm saying.	13 Q. Who is that?
20 Q. Okay. Is it an accurate representation of 21 the audio recording?	14 A. That's Donna.
1 A. Yeah. Yes.	15 Q. That's Donna. Okay. So is it an
2 Q. Is that yes?	16 accurate -- so I'm going to -- "before I was too
3 A. Yes.	17 emotional, I felt like the anger -- I felt like the
4 Q. And who were you talking to in this phone 5 call?	18 anger was like what the fuck is wrong if you like,
6 A. I can't even tell who I'm talking to 7 because they ain't saying much. But it sounded like 8 Donna.	19 you know what I mean." Is that an accurate
9 MS. GOO: We can play a little bit more of 10 the call just to get her voice.	20 representation of what Donna just said?
11 AUDIO: (inaudible) learning experience. 12 He can (inaudible) on how what not to do and 13 how the police, let the police (inaudible) 14 killing your own (inaudible). They tried to 15 kill me with 65 years. You understand what I'm 16 saying. (inaudible) You understand what I'm 17 saying him (inaudible). Ain't no way he should 18 feel proud of that. You let him (inaudible) 19 something wrong, nigger. You understand what 20 I'm saying, that don't make me no sense. You 21 understand what I'm saying. (inaudible) for	21 A. Yeah.
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1 A. Yeah. Yes.	1 Q. And the next line, "I remember you said
2 Q. Is that yes?	2 that when you went to his mother." Was that an
3 A. Yes.	3 accurate representation of what you said?
4 Q. And who were you talking to in this phone 5 call?	4 A. Yes.
6 A. I can't even tell who I'm talking to 7 because they ain't saying much. But it sounded like 8 Donna.	5 Q. And that -- you're referring to Myron 6 Brockington's mother?
9 MS. GOO: We can play a little bit more of 10 the call just to get her voice.	7 A. I don't -- I don't ever recall her going 8 to his mother. But if so, I never recall her having 9 no conversation with her or anything like that.
11 AUDIO: (inaudible) learning experience. 12 He can (inaudible) on how what not to do and 13 how the police, let the police (inaudible) 14 killing your own (inaudible). They tried to 15 kill me with 65 years. You understand what I'm 16 saying. (inaudible) You understand what I'm 17 saying him (inaudible). Ain't no way he should 18 feel proud of that. You let him (inaudible) 19 something wrong, nigger. You understand what 20 I'm saying, that don't make me no sense. You 21 understand what I'm saying. (inaudible) for	10 Q. Do you recall whether or not anybody on 11 your behalf at least attempted to stop by his 12 mother's house. Even if they weren't successful in 13 talking to her?
14 A. I guess her. I mean if I said her. I 15 don't -- it wouldn't, nah.	14 A. I guess her. I mean if I said her. I 15 don't -- it wouldn't, nah.
16 Q. And just to be clear, this is Donna 17 Tabron?	16 Q. And just to be clear, this is Donna 17 Tabron?
18 A. Tabron.	18 A. Tabron.
19 Q. Tabron, sorry. And you were eventually 20 successful in getting in touch with Mr. Brockington, 21 do you recall that?	19 Q. Tabron, sorry. And you were eventually 20 successful in getting in touch with Mr. Brockington, 21 do you recall that?

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1	A. I do at some point.	1 A. Mine and it seemed like Dina so far.
2	Q. And you spoke with him on the phone; is	2 Q. Okay. If we could move to as close as
3	that right?	3 possible minute marker 15:24.
4	A. I spoke with him?	4 AUDIO: (inaudible) shit about this nigger
5	Q. Yes.	5 want to get paid. He basically want to charge
6	A. I never spoke with him.	6 me for the truth. (inaudible) agree to some
7	Q. Okay. But somebody eventually did go and	7 type of ransom or something, I don't know what.
8	talk to Mr. Brockington, correct, on your behalf?	8 Q. Okay. So in that portion whose voice was
9	A. Yes.	9 that?
10	Q. Okay. And do you recall having a	10 A. That was my voice.
11	conversation with Dina Thomas about Myron	11 Q. Okay. And is it an accurate
12	Brockington agreeing to do a video deposition for	12 representation of the audio that says "him and
13	you?	13 Tyreke agree to some shit because this nigger want
14	A. Dina. Probably.	14 to get paid. He basically want to charge me for the
15	Q. Yes. Okay. If we could -- this is a	15 truth. Yeah, they agree to some type of ransom or
16	phone call, it's dated May 19, 2016. It's called	16 something." Is that accurate?
17	D4C147 to phone number (410)812-7500.	17 A. No. I mean that's -- that's what was said
18	MS. GOO: We're going to go off the record	18 but it's not accurate.
19	for a minute.	19 Q. Okay. If we could move to minute marker
20	VIDEOGRAPHER: We're going off the record.	20 16:07, please.
21	The time is 2:38 p.m.	21 MR. GRUEN: Got it to 16:01.
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1	(Off the record.)	1 MS. GOO: That's good.
2	VIDEOGRAPHER: We're back on the record.	2 AUDIO: And that's where we at. That's
3	The time is 2:39 p.m.	3 where we at. And I mean do a video
4	Q. So, again, for the record, this is call	4 confirmation without (inaudible) after
5	May 19, 2016. D4C147. Actually, sorry, one second.	5 everything is handled. I don't know what's
6	This is going to be phone number (410)812-7500.	6 happening. You're the first person I called
7	Before we play the call, Mr. Thomas, do you	7 since I talked to mom last night. I just had
8	recognize that phone number.	8 to give you this news. I'm coming home. Yeah
9	A. I do.	9 (inaudible).
10	Q. And whose number is that?	10 A. I said talk to mom.
11	A. That is Dina Thomas.	11 MS. GOO: If we would pause there for a
12	Q. All right. So we're going to play the	12 second.
13	first ten seconds of the recording, please.	13 Q. So is it an accurate representation that
14	AUDIO: (inaudible) recorded and	14 you said on the call, "I mean he'll do a video
15	monitored. If you wish to block any future	15 confirmation, whatever I want him to do, after
16	calls of this nature dial (inaudible). What's	16 everything is handled. I don't know what's
17	up.	17 happening. You're the first person I called since I
18	Q. Pause for a second. And do you recognize	18 talked to Myron last night. I just had to give you
19	those voices?	19 this news. I'm coming home. Yeah, it's about to go
20	A. Yes.	20 down."
21	Q. And whose voices were those?	21 A. I never talked to Myron. But I don't know

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1 if I misspoke but -- or said his name, but I never 2 talked to him. 3 Q. But was that an accurate recording of what 4 was on the call? 5 A. That's an accurate recording. 6 Q. And I think if we could just keep going a 7 little bit further. 8 AUDIO: I'm going to get paid. Everything 9 that I thought was going to happen, they tried 10 to (inaudible) while business. I stuck to my 11 guns, I didn't let off the foot until I found 12 that nigger. I banked on him. And now it 13 seems like -- like my debt is paid off so many 14 years later. But I (inaudible) find this 15 nigger. (inaudible) give a fuck, nobody 16 (inaudible) tell me no different. 17 Q. We can stop there. Is it an accurate 18 representation of the recording that you said, "oh, 19 I'm going to get paid. Everything that I thought 20 was going to happen, they tried to push me to 21 ineffective counsel and all that whole while	1 (240)217-8599? 2 A. 240. 3 Q. 217-8599? 4 A. 217-8599. Yeah, that's my mother. 5 Q. Okay. 6 MS. GOO: If we could play the first part 7 of the call, first ten seconds. 8 AUDIO: Hello. You have a prepaid call. 9 You are not being charged for this call. This 10 call is from Melvin. Hello. An inmate in the 11 Maryland Correctional facility. This call will 12 be recorded and monitored. If you wish to 13 block any future calls of this nature, dial 14 seven now. To accept this call, press zero 15 now. Hello. Hey baby. What's up. 16 (inaudible). 17 Q. Do you recognize the voices on that call? 18 A. That sounds like my mother. 19 Q. Okay. And she said she was at a cookout? 20 A. I don't -- it sounded like that might have 21 been what she said.
1 business. I stuck to my guns, I didn't let up off 2 the foot until I found that nigger. I banked on him 3 and now it seeming like it's just like my bet was 4 paid off so many years later but I still wanted to 5 find this nigger. I wasn't going to stop until I 6 did. I didn't give a fuck. Couldn't nobody deter 7 me, couldn't nobody tell me no different." Is that 8 an accurate representation of the recording? 9 A. That is an accurate representation of the 10 recording. 11 Q. So after you learned that Mr. Brockington 12 would help you out in exchange for money, did you 13 try to start to crowd source to get him paid? 14 A. No, he never was given no money. 15 Q. Were there attempts by your family to try 16 and collect money to pay him? 17 A. No, it was -- no. No. 18 Q. Okay. If we could go to call D4C162. 19 This is dated May 30th, 2016. And it is to phone 20 number (240)217-8599. Before we play the call, 21 Mr. Thomas, do you recognize this phone number	1 Q. All right. If we could move it as close 2 as possible to 2:24. 3 MR. GRUEN: 2:23. 4 AUDIO: (inaudible). I don't think -- 5 you're (inaudible) I think you the only one 6 that can move that mountain. I mean I'm not 7 going to tell you nothing that I don't feel 8 about (inaudible), okay. 9 MS. GOO: If we could keep going. 10 AUDIO: What makes you think she going to 11 do something for (inaudible) I don't feel like 12 being lied to right now. Listen to me. She 13 can (inaudible) I swear to God I will 14 (inaudible). All right. So you said you 15 weren't able to get in contact with Tyreke 16 though. Hello. Hello. Hello. What's up. 17 What's going on. Who is it that you be talking 18 to, who you communicate with, who (inaudible) 19 you communicate with that I know. I was 20 talking (inaudible). I was (inaudible). 21 MS. GOO: Pause there for a second.

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<p>1 Q. So is there another female voice that came 2 on the line?</p> <p>3 A. I'm trying to figure that out.</p> <p>4 Q. Play it for another few seconds.</p> <p>5 AUDIO: That's it. (inaudible). You want 6 to talk to Darnel at all. Yeah, I talk to 7 Darnel. I called Darnel. Darnel. Because it 8 seem like -- it seem like (inaudible) -- 9 struggling to get people who said they was 10 going to do something to do something.</p> <p>11 MS. GOO: Pause for a second.</p> <p>12 Q. So is it an accurate representation that 13 you said "mommy is having a hard time getting people 14 to do what they said they would do."</p> <p>15 A. That's what was said.</p> <p>16 Q. Okay.</p> <p>17 MS. GOO: Keep going.</p> <p>18 AUDIO: I don't understand that really and 19 (inaudible). Somebody told her -- that 20 somebody told (inaudible). What is it that I 21 need.</p>	<p>1 is dead. It ain't even about that no more. 2 It's about -- it's about the dude, what the 3 dude wants. What (inaudible). I don't know 4 nothing about that, I never heard what he 5 wanted.</p> <p>6 Q. Stop there for a second. So is it an 7 accurate representation of the recording that you 8 said "no, the package thing is dead now, that's 9 over. I can't think about a package now. That 10 package shit is dead. If ain't even about that no 11 more, it's about what the dude wants. You didn't 12 hear nothing about." The female voice says "I ain't 13 know nothing about that. I never heard what he 14 wanted." Is that accurate?</p> <p>15 A. That's accurate.</p> <p>16 MS. GOO: Keep playing.</p> <p>17 AUDIO: Well, there ain't -- yeah, it's 18 basically around about number that (inaudible). 19 What do he want. Well, well, last time I 20 checked, last time I checked (inaudible) trying 21 to get a whole stack, you understand what I'm</p>
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<p>1 MS. GOO: Pause there for a second.</p> <p>2 Q. Do you recognize the voice now, female 3 voice?</p> <p>4 A. I'm still trying to catch on to it.</p> <p>5 AUDIO: Is that what you said. Yes. You 6 don't know what's going on, I thought you were 7 the first to know, one of the first people to 8 know. But I mean. (inaudible)</p> <p>9 Q. Stop there for a second. Do you recognize 10 the voice now?</p> <p>11 A. I don't.</p> <p>12 Q. Okay. The female voice said "you need 13 \$300". Is an accurate representation of the 14 recording?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Keep going.</p> <p>17 AUDIO: You need \$300. I mean, no, why 18 are you asking me that. I mean now we 19 getting -- (inaudible) no, the package said is 20 dead now. That's (inaudible). I can't -- I 21 can't think about a package now. That package</p>	<p>1 saying. And he (inaudible) to people.</p> <p>2 Q. Pause there, please. So the female voice 3 says "what do he want, what do he want." Is that an 4 accurate representation of what the recording 5 reflects?</p> <p>6 A. Yes.</p> <p>7 Q. And you said, "we -- well, we -- well, 8 last time I checked Tyreke trying to get him a whole 9 stack. You understand what I'm saying. And he the 10 one that round up most of the people." Is that an 11 accurate reflection of the audio that was played?</p> <p>12 A. Yes.</p> <p>13 Q. What is a whole stack?</p> <p>14 A. A whole stack?</p> <p>15 Q. Yes.</p> <p>16 A. A stock is considered a thousand dollars.</p> <p>17 Q. Advance to 6:15.</p> <p>18 AUDIO: And (inaudible). Well --</p> <p>19 MS. GOO: Actually start that again, a 20 little bit before.</p> <p>21 MR. GRUEN: I'm going to start from 6:01.</p>

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1 AUDIO: (inaudible) can use it for this.	1 AUDIO: Thousand dollars.
2 (inaudible) the money that package (inaudible)	2 MR. GRUEN: Let me increase the volume.
3 still haven't come home so we can get this	3 AUDIO: (inaudible) thousand dollars, you
4 thing done with. When the dude get that, he	4 can get a thousand dollars.
5 going to do what he got to do. (inaudible)	5 MR. GRUEN: That's 6:50.
6 okay, so the boy saying he will take \$1,000.	6 Q. Did you hear that last part, it says "you
7 Well, (inaudible), that ain't no way to talk.	7 can get a thousand dollars."
8 But, yeah, basically that's what's going to	8 A. That's what it sounded like, I can get a
9 happen. That's what's going to happen, yeah.	9 thousand dollars. I think I heard that, yeah.
10 And he going to do -- just to do the right	10 MS. GOO: All right. You can go.
11 thing, yeah basically.	11 MR. GRUEN: 6:51.
12 MS. GOO: Pause there for a second.	12 AUDIO: What did you say. (inaudible)
13 Q. Okay. So as a part of that audio	13 dude will take a thousand dollars, you can get
14 recording is it accurate the female voice said,	14 the thousand dollars. That's what I'm saying.
15 "okay, so the boy said he'll take \$1,000." And then	15 (inaudible) it should be that hard either. The
16 you said, "well, well, that ain't the way to talk,	16 only thing is getting people that go ahead and
17 but, yeah, basically that's what's going to happen.	17 get it. Like Tyreke said I'm going to go
18 That's what's going to happen, yeah, and he going to	18 around and collect it from the people he knows.
19 do -- just do the right thing, yeah, basically." Is	19 He told me to gather up more people so we can
20 that an accurate representation of the recording?	20 hurry up and get this thing done. Because we
21 A. That's an accurate description of the	21 all agree that the fact that (inaudible)
Page 227	Page 229
1 call, yes.	1 quicker is the better.
2 Q. If we could play a little bit further.	2 MS. GOO: Stop there.
3 AUDIO: (inaudible) dude take a thousand	3 Q. And so is it an accurate representation of
4 dollars and (inaudible) take thousand	4 the recording that you say "that's what I'm saying.
5 (inaudible)	5 I don't believe it should be that hard either. The
6 MS. GOO: Stop there a second.	6 only thing is to get people to go ahead and get
7 Q. So the female voice said "so if you dude	7 it. Like Tyreke said I'm gone go around and he
8 is going to take a thousand dollars, then you can	8 going to collect it from the people he know. He
9 get the \$1,000." Is that an accurate representation	9 told me to gather up some more people so we can
10 of the audio just played?	10 hurry up and get this thing done. Because we all
11 A. I didn't -- I didn't hear that.	11 agree that the faster it gets done the better." Is
12 MS. GOO: Just go back again.	12 that the accurate representation of that recording?
13 MR. GRUEN: Starting at 6:36.	13 A. Yes.
14 AUDIO: Dude take a thousand dollars	14 Q. All right. And lastly if we could go to
15 (inaudible) take a thousand dollars,	15 8:52, please.
16 (inaudible) thousand dollars.	16 MR. GRUEN: 8:49.
17 A. Did you hear that?	17 MS. GOO: Great. Thank you.
18 MR. BALLENGER: I can't understand it.	18 AUDIO: Okay. Well, I could give you -- I
19 A. I couldn't understand it either.	19 know for sure I can give you -- I know for sure
20 Q. All right. Can we go to 6:50?	20 I can give you \$200. But if you give
21 MR. GRUEN: 6:41.	21 (inaudible) four, I might get you \$300

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1 (inaudible). Right now, but (inaudible)	1 Q. Stop there. Do you remember us playing
2 MS. GOO: Stop there.	2 this call before where you said 'I'm about to make
3 Q. And is it an accurate representation that	3 him do the right thing. He's a stupid mother
4 the female voice said, "okay, well, I can give you,	4 fucker. He do the right thing we can both get some
5 I know for sure I can give you \$200, but if you give	5 money, huh."
6 me until the fourth I might could give you \$300. I	6 A. That's what was said.
7 for sure got two right now. But if you give me	7 Q. Okay. So my question is when you were
8 until the fourth I might got three." Is that an	8 talking about somebody saying we can both get some
9 accurate representation of that recording?	9 money, were you talking about the private
10 A. Yes.	10 investigator there and you?
11 Q. So what were you -- what was the thousand	11 A. We can both get some money? I don't know
12 dollars about?	12 what I was talking about right there.
13 A. Pay my investigator.	13 Q. If we can play the call at minute marker,
14 Q. To pay your investigator?	14 about -- a little before 27:20.
15 A. Yup. Can I use the bathroom real fast.	15 MR. GRUEN: 27:19.
16 MR. BALLENGER: Yeah, take a break.	16 AUDIO: And get him comfortable and making
17 MS. GOO: That's fine. Take a break.	17 him work (inaudible). And how we -- and if for
18 VIDEOGRAPHER: We are going off the	18 some reason we got to make it that not only is
19 record. The time is 2:56 p.m.	19 he doing the right thing but he can benefit
20 (Off the record colloquy.)	20 from it some type of way. That's how you
21 VIDEOGRAPHER: We are back on the record.	21 keep -- keep him on your line. You understand
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1 The time is 3:07 p.m. This is media number	1 what I'm saying. Not only do you benefit by
2 five.	2 cleaning your conscious but you benefit in some
3 Q. I'm going to go back to -- it's a phone	3 other type of way, monetary funds or whatever,
4 call dated May 27, 2015, call number D3C528 to phone	4 like. If done right, he play the police and
5 number (240)979-9009. We did previously play this	5 the prosecutor right and get me off, he can get
6 call. I just wanted to ask a few follow-up	6 paid for it.
7 questions related to that. So before I play the	7 MS. GOO: Stop, please.
8 call, Mr. Thomas, do you recognize call 240 -- phone	8 Q. So that call was about Myron Brockington,
9 number (240)979-9009?	9 right?
10 A. No, not off the top of my head.	10 A. Yes.
11 Q. Okay. And do you recall whether that was	11 Q. Okay. Did you ever ask people that were
12 a phone number for Donna Tabron?	12 on your call list, people that you called from the
13 A. I don't recall that.	13 jail, did you ever ask them to do three-way calls
14 Q. Okay. If we could just go a little bit	14 for you?
15 before 25:44, please?	15 A. Yes.
16 MR. GRUEN: 25:46.	16 Q. Okay. And do you recall having someone do
17 AUDIO: This mother fucker down the	17 this for you to contact talk to Myron Brockington?
18 middle, huh. While I'm working hard. I'm	18 A. No.
19 about to make him do the right thing. He a	19 Q. In June of 2016?
20 stupid mother fucker. He do the right thing,	20 A. No.
21 we both get some money, huh.	21 Q. If we could have call -- it's dated

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1 June 19, 2016. Call D4C181, phone number 2 (410)982-3324. If we could just play the 3 introductory portion of the call, first?	1 was fast to this stuff, so (inaudible), it's 2 night time calls is just (inaudible). Yeah, 3 man. I just had thing -- (inaudible) I'm quite 4 sure, right, that -- that maybe sooner than 5 later that the (inaudible) investigator going 6 to get back you, right. I guess he was busy 7 right now (inaudible) get back with you sooner 8 or later. I just wanted to get up with you on 9 the up and up before all that happened, right.
4 MR. GRUEN: Starting at 5:46.	10 MS. GOO: Pause there for a second.
5 AUDIO: If you (inaudible) block 6 (inaudible) any nature of this, dial seven now. 7 To accept this call, press zero now. Hello. 8 Yeah. Yeah. (inaudible) you said you didn't 9 want (inaudible) that what you're saying. 10 Actually I don't (inaudible). I got you. I 11 get it. I get it. Got you. I got to make 12 sure he understand. I got some more 13 clarification to get done (inaudible) somebody 14 sent me his charge sheet. I just need some 15 (inaudible) few more questions, (inaudible) --	11 Q. Do you recognize the other male voice? 12 A. I'm trying get tuned to the voice right 13 now.
16 MS. GOO: Stop there for a second.	14 Q. But as part of the recording, I know there 15 was a bunch that was played right before we stopped, 16 is it an accurate representation that you said, 17 "yeah, man, I just had a lot things on my mind. I'm 18 quite sure, right, that maybe sooner or later the 19 private investigator going to get back to you, 20 right. I guess he's busy right now." And the other 21 male voice says "yeah."
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1 A. It was. 2 Q. Okay. And you heard the audio said "I've 3 got to butter my bread"; is that right? 4 A. That sounds like biscuit. 5 Q. Butter my biscuit, sorry. What did you 6 mean by that? 7 A. I don't know. 8 Q. Okay. If we could go to just a little bit 9 before 3:03. 10 MR. GRUEN: 3:01.	1 A. Yeah. 2 MS. GOO: Keep going. 3 AUDIO: Let you know (inaudible) she was. 4 I told him I said everything is done and 5 (inaudible) or something. Yeah, no, I already 6 know, I'm quite sure I have (inaudible) you all 7 going to be doing it (inaudible) I got you all. 8 And I don't know (inaudible) he a professional, 9 (inaudible). You know, I'm just saying that 10 I'm just letting you know basically only got 20 11 minutes (inaudible) ahead but I'm just letting 12 you know basically, you know, you know how 13 (inaudible) thing works, like, you know, just 14 letting you know that basically for 15 conversations like if what you were saying 16 basically -- I mean there ain't nothing for you 17 to be nervous about -- how did you feel about 18 the whole situation (inaudible) like now. 19 Like. No, I'm (inaudible) still everything 20 cool, make it right. Basically I already got 21 my guys and what's going on. Okay, okay. All

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<p>1 right. (inaudible) we talked last time, you 2 know what I mean. They talk (inaudible) you 3 know what I mean and I wasn't looking at the 4 wrong thing. And what? The conversation we 5 had last time. Yeah, yeah. When I was asking 6 you about that (inaudible) figured you know me 7 but I want to be sure. Oh, you talking about. 8 Yeah. Yeah. Yeah. (inaudible). Right. 9 Right. Right.</p> <p>10 MS. GOO: Okay. Stop there for a second.</p> <p>11 Q. Is that giving you any help in terms 12 knowing who that person is that you were speaking 13 with?</p> <p>14 A. I'm still listening.</p> <p>15 Q. Okay. One second. If we could actually 16 go up to a little bit before 7:01.</p> <p>17 MR. GRUEN: 6:56.</p> <p>18 MS. GOO: Thank you.</p> <p>19 AUDIO: Let me ask some questions so I can 20 clear my mind. So you (inaudible) did right, 21 yeah, yeah. Yeah. Yeah. (inaudible) Because,</p>	<p>1 "why -- you see the reason why that -- the whole 2 situation, I partially -- partially reason why I'm 3 here, why did he even give you photograph to, 4 something inaudible, and I'm just going off, going 5 off to me getting his -- his tape statements some 6 years ago is because he tried to tell. He tried to 7 tell on somebody. I mean who do you say was his rat 8 buddy." And the other male voice says "right." Is 9 this somebody who was involved or knew about your 10 case that you were speaking with you on the phone?</p> <p>11 A. I'm trying to figure that out if you could 12 finish playing.</p> <p>13 MS. GOO: Okay. Keep it going, please.</p> <p>14 AUDIO: (inaudible) and so wanted 15 (inaudible) being this and that. I'm assuming 16 that's why you got pictures of people from down 17 in the projects or whatever, whatever. You 18 understand what I'm saying. No. But I still 19 don't -- I still don't understand why he gave 20 you a picture. The picture -- my picture being 21 put in the picture involve (inaudible) to this</p>
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<p>1 Oh, all right, that's the only thing that makes 2 sense. Because when he was with them, I don't 3 know, I don't know. I don't know. I don't 4 know. Yeah, that's a strange thing 5 (inaudible). Yeah, I don't know, I don't know. 6 Do you know what Junky Green at right now. 7 Yeah, six feet. All right. I ain't know that 8 you knew that. (inaudible) trust me, I know 9 everything that goes on. All right. All 10 right. Because the reason why you see -- the 11 reason why that the whole situation -- 12 partially the reason why he even gave you a 13 photograph to raise it, I'm just going off of 14 me getting his case statement from years ago 15 was because he tried to get -- he tried to tell 16 on somebody, I mean who he say was his rat 17 buddy, some (inaudible)</p> <p>18 MS. GOO: Stop there for a second.</p> <p>19 Q. Okay. Do you know who you're talking to?</p> <p>20 A. I'm still listening.</p> <p>21 Q. And there were -- did you hear you say</p>	<p>1 day I don't -- I don't even know, right. But. 2 Right. But -- just one more question. You 3 told me in our last conversation, you say when 4 they -- you say they had some type of 5 investigation on you or something. Yeah, yeah, 6 DEA. Oh, okay. I just -- the dude, the 7 homicide investigator -- I mean, yeah, homicide 8 George Vigue, what did he -- what was his role 9 thing in the situation with my case. Like what 10 did -- because (inaudible) he wanted me to give 11 him detail about it. He was just saying -- he 12 wanted me to give him detail about it, because 13 I guess (inaudible) but he was like, he showed 14 me a picture of (inaudible) and four other 15 dudes.</p> <p>16 MS. GOO: Stop for a second.</p> <p>17 Q. Okay. Do you know who the person is that 18 you're speaking with. Having, you know, asking him 19 about this meeting with George Vigue and 20 investigation with the DEA?</p> <p>21 A. Sounds like Myron.</p>

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1 Q. Sounds like Myron?	1 minutes.
2 A. Yeah.	2 MR. GRUEN: We're at 11:57.
3 Q. If we could just keep going a little bit	3 MS. GOO: Thank you.
4 further?	4 AUDIO: Yeah, I mean I seen him every now
5 AUDIO: And you know (inaudible) big book.	5 and then in passing through. Have you ever
6 He was showing me (inaudible) you know what I	6 came down to the projects (inaudible) brother
7 mean, blow him off. Right.	7 but other than that I ain't seen him. I ain't
8 MS. GOO: Could you pause there.	8 seen him or -- you don't understand,
9 Q. Okay. So is it an accurate representation	9 (inaudible) you don't understand (inaudible)
10 of the recording that the other male voice who you	10 you making me making some of this stuff make
11 said might be Myron, "he wasn't -- he didn't get	11 sense (inaudible), I don't understand nothing
12 into detail about it, he was just saying he wasn't	12 about this (inaudible). You understand what
13 going to get into detail about it. You know, I mean	13 I'm saying. (inaudible). I don't know how you
14 because I guess that's a different situation so he	14 got in the middle. You (inaudible) except for
15 was like so he showed me a picture of, you know, me,	15 (inaudible)
16 you, your brother, Vain and then like four other	16 MS. GOO: Stop there for a second.
17 dudes." Is that an accurate representation of --	17 Q. And so does that give you any better
18 A. That's what it sounded like he said.	18 recollection as to who you were talking to on the
19 Q. Okay. So a photographic array or some	19 phone?
20 type of photographic identification was shown to	20 A. Yes.
21 this other person that you're talking to?	21 Q. And who is it?
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1 A. Yeah.	1 A. Myron.
2 Q. Mr. Thomas, as a part of the criminal	2 Q. It's Myron. Okay. So is it an accurate
3 discovery that you received in your criminal case	3 representation of the recording that Myron said,
4 for the shooting of Mr. Brockington, were you aware	4 "yeah, because I don't even know how you got in the
5 of a photographic array being presented to any of	5 middle." You replied "huh" and then Myron stated "I
6 the witnesses? So a series of pictures that were	6 don't even know how you got in the middle because
7 shown to a witness to identify you?	7 you don't even look anything alike except for the
8 A. Yeah.	8 something chunky dude." Is that an accurate
9 Q. Okay. And who was that shown to?	9 representation of the recording?
10 A. Nina Wilson.	10 A. That's what it sounded like he said.
11 Q. Okay.	11 Q. If we could go to minute marker 16:38 or
12 A. And Myron Brockington as far as I know.	12 thereabouts?
13 Q. As far as you know?	13 MR. GRUEN: 16:35.
14 A. As far as I know.	14 MS. GOO: Thank you.
15 Q. But you know about a photo array involving	15 AUDIO: (inaudible) anything like
16 Myron Brockington?	16 (inaudible). Yeah, yeah, so yeah. So he
17 A. Huh?	17 was -- the only thing was I knew that something
18 Q. I said you are aware a photo array was	18 had to have been wrong with you -- with what
19 shown to Myron Brockington?	19 you did (inaudible) because I'm like how the
20 A. Yeah, I know, at some point.	20 fuck, man, I don't look nothing (inaudible)
21 Q. Okay. If we could go to minute marker 12	21 nothing, nothing.

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<p>1 Q. Can we pause there for a second. So you 2 are discussing with Myron the photo array and you 3 said that you don't look anything like the -- what 4 was being described; is that correct?</p> <p>5 A. Right.</p> <p>6 Q. And why were you talking to Myron about 7 this?</p> <p>8 A. Seemed like I was trying to get some 9 understanding in that conversation.</p> <p>10 Q. Okay. Do you recall talking to 11 Mr. Brockington about the flea market in that phone 12 call?</p> <p>13 A. I don't.</p> <p>14 Q. Okay. Keep going, please.</p> <p>15 AUDIO: Is this thing about all that is -- 16 is you know -- you know you this (inaudible) 17 got me and all (inaudible) that nigger when I 18 was up at the flea market. And (inaudible) and 19 I looked down and I was like there's that 20 mother fucker right there, I should stab him in 21 the fucking (inaudible). You know what's crazy</p>	<p>1 June of 2016, do you recall a phone call with -- 2 having a call with Mr. Brockington in June of 2016 3 which you discussed the flea market?</p> <p>4 A. I don't recall.</p> <p>5 Q. You talked to Mr. Brockington about the 6 case in this phone call, right?</p> <p>7 A. Yeah.</p> <p>8 Q. And the phone call lasted about 30 9 minutes?</p> <p>10 A. I don't know.</p> <p>11 Q. And you had another phone call with 12 Mr. Brockington after this one in June of 2016, do 13 you recall that?</p> <p>14 A. No.</p> <p>15 Q. Okay. So you don't recall the duration of 16 that phone call?</p> <p>17 A. I don't.</p> <p>18 Q. Okay. And you don't remember coaching him 19 about what to say to the private investigator?</p> <p>20 A. I don't.</p> <p>21 Q. Okay. If we could go to a call dated</p>
<p>1 about that is, I mean at that point I mean how 2 did you feel -- I mean me being that you're 3 seeing the dude that did it but -- but you know 4 that I was here all this time. I knew a phone 5 call would come around. That's when it came 6 around I answered it. Okay. All right. Do 7 you know (inaudible)</p> <p>8 MS. GOO: Stop there for a second.</p> <p>9 Q. Okay. So in your -- so there was a lot of 10 conversation that we have gone through so far. And 11 there is a mention of another phone call that you 12 have with Mr. Brockington prior to this call. Do 13 you recall the first phone call that you had with 14 Mr. Brockington before this one?</p> <p>15 A. I swear I didn't recall any phone calls by 16 him. But I don't know -- no.</p> <p>17 Q. Okay. And do you recall talking to him 18 about the whole flea market situation prior to this?</p> <p>19 A. Prior to just now?</p> <p>20 Q. Prior to this phone call. So before you 21 were on the phone with him on this day, which was in</p>	<p>1 July 26, 2016. It is call D4C201. The phone number 2 is (240)217-8599. And before we play the call, 3 Mr. Thomas, do you know what phone number -- whose 4 phone number that is?</p> <p>5 A. Did you say 8599?</p> <p>6 Q. Yes.</p> <p>7 A. That's my mother's number.</p> <p>8 Q. Okay. If we could play the introductory 9 portion of the call.</p> <p>10 MR. BALLENGER: Do you have -- can I get a 11 copy of the transcript you're reading from?</p> <p>12 MS. GOO: This is my outline right now.</p> <p>13 MR. BALLENGER: Do you have a copy of the 14 actual transcripts?</p> <p>15 MS. GOO: We have some limited portions of 16 transcripts but we don't have a full transcript 17 of the phone calls.</p> <p>18 MR. BALLENGER: Do you have transcripts 19 that you're reading from.</p> <p>20 MS. GOO: Again, right now this is what I 21 have in my outline.</p>

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1 MR. BALLENGER: Can I get a copy?	1 MR. WASSERMAN: It's an attorney
2 MS. GOO: We can get you a copy.	2 transcribing. This is attorney work product,
3 MR. BALLENGER: I can have it copied right	3 sir.
4 now and it will save some time on redirect I'm	4 MR. BALLENGER: So you're not going to
5 sure. And I can follow along while you're	5 produce it?
6 doing it.	6 MS. GOO: Because it's not a transcript.
7 MS. GOO: Let me see.	7 Again, like we're going through -- can we just
8 MR. BALLENGER: I can have my secretary do	8 go off the record. Actually I want this on
9 it.	9 record. We're going through and making sure,
10 MS. GOO: I'm just looking right now	10 because we have certain things that we've typed
11 through what we have. No, unfortunately we	11 up that we think are what the recordings, but
12 don't have full transcripts. I have just very	12 that's what we're going through with your
13 small portions which are our work product.	13 client, if it is accurate or not. So we don't
14 MR. BALLENGER: But they are the portions	14 want to produce these as any type of transcript
15 you're reading from.	15 at this point?
16 MS. GOO: Sure.	16 MR. BALLENGER: So you're refusing to
17 MR. BALLENGER: I just want a copy of	17 produce it?
18 that, that's all. If it's just a portion that	18 MS. GOO: Yes.
19 you took, you can send me the full one when you	19 MR. BALLENGER: Okay.
20 get a chance but I'll just take what you have	20 MS. GOO: So I believe that we're now on
21 now.	21 July 26, 2016, D4C201. Call to 240-217-8599.
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1 MS. GOO: I have what we are using just	1 If we could just play the introductory portion
2 very limited. But I don't have a copy to	2 of that call.
3 produce right now.	3 MR. GRUEN: Fifty-five seconds.
4 MR. BALLENGER: Can you download one from	4 AUDIO: You will not be charged for this
5 your computer?	5 call. This call is from Melvin, an inmate at a
6 MS. GOO: No, I don't believe we have	6 Maryland correctional facility. This call will
7 that.	7 be recorded and monitored. If you wish to
8 MR. GRUEN: We don't have it in that form	8 block any future calls of this nature, dial
9 and anything we have produced for ourselves is	9 seven now. To accept this call, press zero
10 work product.	10 now. To decline. Hey, what's up, baby.
11 MR. BALLENGER: I don't think it's work	11 Nothing (inaudible). Huh? (Inaudible). Oh,
12 product when these are transcripts you're	12 you all back home.
13 reading from to the witness that are supposed	13 MS. GOO: Pause there for a second.
14 transcripts from these recordings. I mean it's	14 Q. And who is on this phone call?
15 going to speed things up. I mean otherwise I'm	15 A. My mother.
16 going to have -- we'll have to break on a	16 Q. Okay. And she said she is back at Kara's
17 deposition. Obviously I'll let you keep going	17 house?
18 with what you got, but you could certainly	18 A. Yes.
19 speed things along --	19 Q. And who is Kara?
20 MR. GRUEN: They are not transcripts.	20 A. My sister.
21 That's why -- Ms --	21 Q. Okay. All right. If we could fast

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1 forward to 3:37.	1 A. Sounded like Myron.
2 MR. GRUEN: 3:37.	2 MS. GOO: Play a little bit further.
3 MS. GOO: Yes, please.	3 AUDIO: Hello. Yeah, I'm here. And I
4 MR. GRUEN: 3:35.	4 ain't get the -- the -- the video part. Was
5 AUDIO: Bought (inaudible) said	5 that (inaudible).
6 (inaudible). You do. (inaudible) I got it	6 MS. GOO: Pause for a second, please.
7 brought it out too. (inaudible), need to ask	7 Q. And as a portion of that, because there
8 him a few questions.	8 was a little bit of back and forth, is it an
9 MS. GOO: Stop there for a second.	9 accurate representation of the recording that you
10 Q. Is it an accurate representation that you	10 said "and I ain't got the -- I ain't got video part
11 told your mom, "look, I brought Myron's number out	11 yet." And Mr. Brockington responded "he's supposed
12 here." She responded "I have Myron's number." You	12 to be working on that one." Is that correct?
13 said "you do." She said "yeah." And you responded,	13 A. That's what it sounded like.
14 "all right, I brought it too. I need to ask him a	14 Q. What video were the two of you discussing.
15 few questions." Is that an accurate representation	15 A. I don't know.
16 of the recording?	16 Q. You don't know what video?
17 A. That's what it sounded like.	17 A. I don't know.
18 Q. And how did you get Myron Brockington's	18 Q. Did Myron Brockington owe you some type of
19 phone number?	19 video?
20 A. Probably through my investigator.	20 A. Did he owe me a video? What you mean?
21 Q. I'm sorry.	21 Q. Well, you're asking about a video of
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1 A. More than likely through my investigator I	1 Mr. Brockington. What video would he have for you?
2 can see my boy.	2 A. Finish playing it. I'm trying to hear it
3 MS. GOO: If we could go to minute marker	3 out.
4 around 5:46.	4 Q. I'm sorry.
5 MR. GRUEN: 5:46.	5 A. I was trying to hear what the conversation
6 AUDIO: Phone down. (inaudible). Ain't	6 is about.
7 nothing. I been trying to get up with you	7 MS. GOO: Understood. Keep playing.
8 since after you met up with the private	8 AUDIO: What did you say (inaudible).
9 investigator but I was -- I did (inaudible) top	9 Yeah, you said what about it. (inaudible). He
10 the affidavit and I read over it and it's stuff	10 want -- what happened on that. I said sold
11 like that.	11 (inaudible), he (inaudible) all that. So want
12 MS. GOO: Pause there for a second.	12 (inaudible) how to get a hold of it.
13 Q. Is it an accurate representation of the	13 (inaudible). When he get a hold of it. What
14 recording that you said "ain't nothing. I've been	14 you mean. (inaudible). I'm talking about
15 trying to get up with you since after you met with	15 whatever you all did that day. Yeah.
16 the private investigator, but I just not too long	16 (inaudible). You know what I'm talking about.
17 ago got a copy of the affidavit and I read over it	17 Yeah. Yeah. That goes. Right, right, right.
18 and just stuff like that." Is that accurate?	18 He get something done, get (inaudible) or
19 A. That's what it sounded like.	19 something. But I got -- I said -- I sent
20 Q. And who was the other male voice that	20 (inaudible) to check up on what you did about
21 you're speaking with?	21 that tape right.

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<p>1 MS. GOO: We can stop there.</p> <p>2 Q. So you and Mr. Brockington appear to be</p> <p>3 talking about something about a chip and obtaining</p> <p>4 the video and prior --</p> <p>5 A. I know what we're talking about now.</p> <p>6 Q. What were you talking about?</p> <p>7 A. The actual video that he said existed in</p> <p>8 the bar. He said, yeah, that he basically confirmed</p> <p>9 that Sally was telling the truth that the police --</p> <p>10 like there is cameras in My Sally's Place bar, it</p> <p>11 was there at that time, he frequented the bar and</p> <p>12 the tapes was there. And the police took the tapes.</p> <p>13 So. But I never able was retrieve them.</p> <p>14 Q. So this is tapes from Sally's?</p> <p>15 A. Yes.</p> <p>16 Q. Why would Mr. Brockington have to do with</p> <p>17 something involving the tapes at Sally's?</p> <p>18 A. He said -- because that's evidence. And</p> <p>19 he was telling me about it.</p> <p>20 Q. He didn't work for Sally's, did he?</p> <p>21 A. No.</p>	<p>1 just stuff like that." So there was an affidavit</p> <p>2 that Mr. Brockington prepared for Wolfe. That's how</p> <p>3 I'm reading that. Is that correct?</p> <p>4 A. That's correct.</p> <p>5 Q. Okay. Then you follow up with, "I ain't</p> <p>6 get the video part yet."</p> <p>7 A. Is that what I said?</p> <p>8 Q. Yes. We can play it back for you if you</p> <p>9 need to.</p> <p>10 A. You can.</p> <p>11 MS. GOO: Okay. Go back to 6:12, please.</p> <p>12 MR. GRUEN: 601.</p> <p>13 AUDIO: (inaudible) got a copy of the</p> <p>14 affidavit and I read over it and (inaudible).</p> <p>15 Hello. Yeah, I'm here. And I ain't get -- I</p> <p>16 ain't get the -- the -- the video part yet.</p> <p>17 Was that (inaudible). Working on that. Huh,</p> <p>18 what did you say (inaudible). Yeah, you say</p> <p>19 what about it. (inaudible). He want -- what</p> <p>20 happened on that. I said (inaudible). He told</p> <p>21 them (inaudible). Oh, he going to let you know</p>
<p>1 Q. So why would he have that video?</p> <p>2 A. Who said he had it.</p> <p>3 Q. Well, you're saying that two of you were</p> <p>4 talking about this video and he was trying -- you</p> <p>5 guys were having a conversation about it. So why</p> <p>6 would you be asking him about that video?</p> <p>7 A. Do you hear the conversation? If you</p> <p>8 listen to the conversation, it pretty much explains</p> <p>9 the part I'm saying. If you listen to the whole</p> <p>10 conversation.</p> <p>11 Q. I have. I'm asking you the question. So</p> <p>12 the two of you -- why are you asking Mr. Brockington</p> <p>13 about this specific tape and this video?</p> <p>14 A. Because it's more evidence that the police</p> <p>15 did things that they wasn't supposed to have been</p> <p>16 doing.</p> <p>17 Q. Prior to you asking questions about the</p> <p>18 video part, right before that, "ain't nothing, I've</p> <p>19 been trying to get up with you since after -- with</p> <p>20 the private investigator, but I just not too long</p> <p>21 got a copy of the affidavit and read over it and</p>	<p>1 how to get a hold of it. (inaudible).</p> <p>2 MS. GOO: Stop there.</p> <p>3 Q. So Mr. Thomas, again, so you were talking</p> <p>4 about the affidavit and then you said "I didn't get</p> <p>5 the video part yet."</p> <p>6 A. And then he said that he -- he was talking</p> <p>7 about the private investigator said that he ain't</p> <p>8 get a hold of it yet. A hold of it yet.</p> <p>9 Q. So that video, again, you were first</p> <p>10 talking about the affidavit and then you said the</p> <p>11 video part; isn't that correct?</p> <p>12 MR. BALLENGER: What's the question?</p> <p>13 A. I don't know.</p> <p>14 MR. BALLENGER: He answered it like three</p> <p>15 times. First of all I can't even understand</p> <p>16 what's being said. So if you have like a</p> <p>17 transcript that you're saying is an accurate</p> <p>18 transcript, I would like to hear it English.</p> <p>19 But he said -- I thought he said before the</p> <p>20 tapes or whatever videos he's referencing to</p> <p>21 those missing videos from My Sally's bar. And</p>

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1 there is a connection between Myron Brockington 2 and Nina Wilson. So I don't know if that's 3 what they are talking about, or if they are 4 talking about some other video. 5 Q. So you don't -- you're saying again that 6 the video has to do with Sally's bar; is that right? 7 A. Yeah, that's my recollection of that 8 conversation. Because he's saying that he said he 9 couldn't get a hold of it yet. 10 Q. Did you ask Wolfe to get the affidavit of 11 Myron Brockington? 12 A. Yes. 13 Q. Did you also ask him to do a video tape 14 interview or affidavit of Myron Brockington? 15 A. Yes. 16 Q. You did? 17 MR. BALLENGER: Wait a minute. That was 18 two questions. You threw the affidavit in and 19 then you threw the affidavit in with the video. 20 MS. GOO: I can ask the question 21 separately.	1 A. I don't recall. 2 MR. BALLENGER: Do you know if a video was 3 ever done? 4 A. I think it's -- I believe so. 5 Q. And, again, do you know where that 6 affidavit is, the written one? 7 A. I don't -- like -- I got plenty of 8 paperwork. I'm assuming it's in there somewhere. 9 Q. Is that paperwork you keep at home? 10 A. Yes. 11 Q. And did you give advisements to 12 Mr. Brockington about what to say when he spoke with 13 the private investigator? 14 A. I don't recall. Like give advice? 15 Q. Yeah, tell him what to say? 16 A. Oh, no. 17 Q. I'm sorry. 18 A. I don't recall. 19 MS. GOO: If we could go to about ten 20 minutes into the call. 21 MR. GRUEN: I'm at 9:55.
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1 MR. BALLENGER: Would you do that. 2 Q. Did you ask for an affidavit of Myron 3 Brockington from Wolfe? 4 A. I did. 5 Q. Did you also ask for a videotaped 6 affidavit and/or interview of Myron Brockington? 7 A. I did. 8 Q. Okay. And do you have a copy of the 9 affidavit that Wolfe got, the signed affidavit, the 10 written one of Myron Brockington? 11 A. Somewhere, yeah. 12 Q. And what about the video statement of 13 Myron Brockington? 14 A. No. 15 Q. Were you ever able to obtain that? 16 A. No. 17 Q. Do you know whether or not -- even though 18 you haven't seen it, do you know whether or not 19 anybody -- any of your people, so mom, Dina, Donna, 20 do you know if any of them saw the recording or the 21 video of Myron Brockington?	1 AUDIO: Everything went -- on the video, 2 when he did the camera part (inaudible) what he 3 asked you -- what did he ask you, a series of 4 questions or something. Yeah. 5 MS. GOO: Pause for a second. 6 Q. So is it an accurate representation that 7 you said on the video "where he did the camera part 8 for you, he asked you a series of questions or 9 something." Is that correct? 10 A. That's what it sounded like he said. 11 Q. Okay. And Myron said yeah. You heard 12 that part? 13 A. That's what it sounded. 14 Q. And is that the video statement that we 15 have been talking about? 16 A. Yes, I would say. 17 MS. GOO: Go on, please. 18 AUDIO: Oh, yeah. Because the reason why 19 I say that, right, is because (inaudible) read 20 over the affidavit, I know that like -- you 21 know when you don't like -- I understand what

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<p>1 you're saying like, all right, like it comes to 2 a point where let's say in a question 3 demonstration, it's like, you know it wasn't 4 him. What do you say in a situation where they 5 say, well, you knew it wasn't him when you see 6 him in court, why did you do it anyway. But 7 you did it anyway like. You understand what 8 I'm saying. Like what would you come back and 9 say to that. Because they are going to ask a 10 question like that because it's a simple 11 question to ask. Like who made you do that, 12 like what made you (inaudible). You know what 13 fix that. What. Black and white pictures.</p> <p>14 MS. GOO: If we can stop there for a 15 second.</p> <p>16 Q. Is it an accurate representation you said 17 "because the reason why I say that, right, is 18 because remember it over the affidavit, and I'm just 19 trying to -- and I know like you know where you 20 don't -- like I understand what you're saying, all 21 right, like it comes to a point where let's say and</p>	<p>1 MS. GOO: If we could continue playing, 2 please. 3 AUDIO: Right, all right. Yeah, I 4 understand. I understand about the black and 5 white picture part. This ain't -- this ain't 6 me. Let's just say -- let's just this is the 7 states attorney (inaudible) saying this. 8 Because this is a serious question, all right, 9 I'm just going over it with you. Like, all 10 right, there came a time (inaudible) black and 11 picture was one thing. But when you see him in 12 person, that's a whole another thing. Either 13 you (inaudible) 100 percent sure or you're 100 14 percent sure it's not. 15 MS. GOO: Stop for a second. 16 Q. So were you talking about the presentation 17 of a photographic array versus an in-person 18 identification? 19 A. That's what it sounded like. 20 Q. Keep going. 21 AUDIO: Why would you do it (inaudible)</p>
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<p>1 the question demonstration is like, all right, you 2 know it wasn't him, what do you say in a situation 3 when you say, well, you know it wasn't him but you 4 say it was in court. Why do you do it anyway. Like 5 you did it anyway, like you understand what I'm 6 saying, what would -- what would you say to that. 7 Because they are going to ask the question. So I 8 guess it's a simple question to ask like what made 9 you do that." And Mr. Brockington then responded 10 "you know what would fix that", you say "what", and 11 Mr. Brockington then said "them black and white 12 pictures." Is that an accurate representation of 13 what you and Mr. Brockington discussed.</p> <p>14 A. That's what it sounded like.</p> <p>15 Q. What were you trying to tell him about 16 this whole thing with the question demonstration?</p> <p>17 A. I was trying to get him to answer a 18 question that seemed obvious, like of the situation. 19 Like he knew it wasn't me, he said he knew it wasn't 20 me, why did you pick me anyway. What was the reason 21 behind it?</p>	<p>1 talking about (inaudible) talking about 2 (inaudible). Huh. (inaudible) about. About 3 the other stuff. (inaudible). Yeah, yeah, 4 talking about flea market dude. Yeah, 5 (inaudible). Huh. That's the confirmation. 6 Oh, okay, okay. (inaudible) That's what you 7 were saying is (inaudible) for sure because I 8 see. (inaudible). Okay. Okay. Okay. 9 (inaudible) come up. Right, right. I mean 10 because I don't know -- I know he had a series 11 of questions, Wolfe asked you that about that 12 part. Did he ever ask you that. (inaudible) 13 Oh he did. 14 MS. GOO: Stop for a second. 15 Q. So there is a back and forth between you 16 and Mr. Brockington about the flea market dude and 17 the confirmation. What were you discussing at that 18 point? 19 A. What we were discussing? 20 Q. Yes. So what was the confirmation? 21 A. I don't understand the question.</p>

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<p>1 Q. Let me ask the question differently. So</p> <p>2 Myron says to you, "remember when we talked about,</p> <p>3 remember when we talked about the people with yo."</p> <p>4 You say "huh", Myron says "remember when we were</p> <p>5 talking about the other dude, about the other</p> <p>6 stuff." Myron says "the other dude, the other</p> <p>7 dude." You respond "Oh, yeah, you talking about</p> <p>8 flea market dude." First of all is that an accurate</p> <p>9 representation about a part of that audio?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Then Myron says "yeah, the</p> <p>12 confirmation" and that's accurate too, right?</p> <p>13 A. I don't know. I mean I don't know what</p> <p>14 that means.</p> <p>15 Q. So I'm saying the recording says he says</p> <p>16 "yeah, the confirmation". You herald that?</p> <p>17 A. I guess, yeah.</p> <p>18 Q. Okay. So when -- when the two of you are</p> <p>19 talking about the flea market dude and Myron says</p> <p>20 something about the confirmation, Myron then says</p> <p>21 "that was the confirmation", do you know what the</p>	<p>1 telling you that there is another guy, there is</p> <p>2 another dude who shot him, right?</p> <p>3 A. That's what's being said.</p> <p>4 Q. That's what he said in this phone call?</p> <p>5 A. That's what he said.</p> <p>6 Q. Correct. And he said that at the flea</p> <p>7 market you recall him saying, during -- I can't</p> <p>8 remember if it was this call or the other one that</p> <p>9 we played, "when I saw him I would have stabbed</p> <p>10 him". Do you recall -- do you remember him saying</p> <p>11 that?</p> <p>12 A. I recall that.</p> <p>13 Q. Okay. So I don't think that you would --</p> <p>14 you would agree that Myron Brockington was shot that</p> <p>15 night, right, in 2001?</p> <p>16 A. For sure.</p> <p>17 Q. So he has knowledge of who you say is the</p> <p>18 likely shooter here, or the shooter that everybody</p> <p>19 says is the shooter. Why would you not encourage</p> <p>20 him to go to the police?</p> <p>21 A. Tricky question. We talking about the</p>
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<p>1 talk of you were talking about?</p> <p>2 A. I don't know what that meant.</p> <p>3 Q. Okay.</p> <p>4 A. Literally, I don't.</p> <p>5 Q. And then in the --</p> <p>6 A. I guess.</p> <p>7 Q. Sorry.</p> <p>8 A. Unless the confirmation can be that he for</p> <p>9 sure seen the guy in the flea market. I'm</p> <p>10 assuming -- now I'm replaying that little bit piece</p> <p>11 of tape.</p> <p>12 Q. Did you ever encourage Mr. Brockington to</p> <p>13 go to the police with this information?</p> <p>14 A. No.</p> <p>15 Q. Why not?</p> <p>16 A. It wasn't on my mind. I don't -- I</p> <p>17 don't -- I don't --</p> <p>18 MR. NATHANS: It wasn't on your mind.</p> <p>19 A. Yeah.</p> <p>20 Q. I mean at this point, so this phone call</p> <p>21 was in 2016, July of 2016. And Myron Brockington is</p>	<p>1 same police who had that same information but said</p> <p>2 that I did it. That's tricky. Like they said I did</p> <p>3 it. They said I'm the shooter. They said that</p> <p>4 before they even questioned me. Gave me one</p> <p>5 question. A warrant was put out for my arrest</p> <p>6 before one question was asked. And a description of</p> <p>7 a short dark skinned person was the description</p> <p>8 given by three, four different people. Why would I</p> <p>9 trust them? Why would I even say and point somebody</p> <p>10 in that direction? Why would I do that?</p> <p>11 Q. You've been using the word tricky. What</p> <p>12 do you mean by tricky?</p> <p>13 A. Tricky means that there is a situation</p> <p>14 where you feel as though even what's supposed to be</p> <p>15 the right thing could be the wrong thing for you.</p> <p>16 That's what I mean by tricky.</p> <p>17 Q. Do you recall trying to also -- did you</p> <p>18 ask Myron Brockington about Dewey Morgan as well and</p> <p>19 trying to get in touch with him?</p> <p>20 A. I guess that was a possibility. I mean</p> <p>21 they all hung around that same bar and I assume that</p>

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1 they all knew each other.	1 A. Nobody made an offer to Brockington.
2 MS. GOO: Go to 16:35, please.	2 Q. Who discussed that with him?
3 MR. GRUEN: 16:25.	3 A. Like it was said -- like I said in that
4 AUDIO: A lot easier for the truth to be,	4 statement, he said that he wanted to be paid
5 you know, more amplified, right. But didn't	5 initially for his own truth.
6 you say that Dewey came home not too long ago	6 Q. And how did -- who had that conversation
7 or something. Did you see him. Did you see	7 with him?
8 Dewey (inaudible). Who. Dewey Morgan. No, I	8 A. The private investigator, I believe.
9 ain't see him (inaudible). Yeah, okay, because	9 Q. And was that ever -- did you ever discuss
10 he almost -- (inaudible) him alone almost got	10 that with him in your phone calls?
11 me (inaudible) the first time, it's just, you	11 A. You say did I discuss what? What he said?
12 know, different thing. And lucky for me that	12 Q. Payment to him. Did you ever discuss
13 you and the private investigator (inaudible)	13 payment to him?
14 and all came well and you get to know what's on	14 A. I don't recall.
15 my mind and I got to know what's on yours, you	15 Q. To Mr. Brockington?
16 understand what I'm saying.	16 A. I don't recall.
17 Q. Stop there. So was that you asking about	17 Q. Would you have done it if he insisted?
18 Dewey Morgan to Mr. Brockington?	18 MR. BALLENGER: I would object to the
19 A. That was.	19 speculation of it. But you can answer.
20 Q. Okay. So you -- I'll ask a different	20 A. I was -- I was always animated against it,
21 question. Did you and Mr. Brockington come to an	21 like, and -- I don't know.
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1 agreement about payment to him?	1 Q. Okay. So your answer is I don't know?
2 A. No.	2 A. I don't know.
3 Q. For his statements?	3 Q. All right. If we could go to a call dated
4 A. No.	4 June 30th, 2016. And it's call D4C184 to phone
5 Q. Okay. Did you ever have a discussion with	5 number (240)217-8599. And do you recognize -- first
6 your mother, Ms. Angela Campbell, about paying	6 of all before we start the call, do you recognize
7 Mr. Brockington?	7 whose number that is?
8 A. That -- a discussion -- payment --	8 A. 8599.
9 payments was initially -- it was a -- it was at a	9 Q. Yes.
10 time in the beginning where he ain't feel	10 A. That's sounds like my mother's number.
11 comfortable and he wanted -- and he asked for	11 MS. GOO: If we would start just the
12 payment for his truth. But at the end, that all	12 introductory portion and then go to 15. Go
13 fell to the waste line and all I had to do was pay	13 ahead.
14 my private investigator for it.	14 AUDIO: Hello. You have a prepaid call.
15 Q. But there was initially discussion about	15 You are not being charged for this call. This
16 payment with Mr. Brockington between either you or a	16 call is from Melvin, an inmate at a Maryland
17 member of your family; is that right?	17 correctional facility. This call will be
18 A. There was.	18 recorded and monitored. If you wish to block
19 Q. Okay.	19 any future calls of this nature, dial seven
20 A. Not from my end.	20 now. To accept this call, press -- Hello.
21 Q. Who made an offer to Mr. Brockington?	21 What's up. Nothing. How you doing. I'm good.

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1	MS. GOO: Can we stop there.	1 you ain't keep talking like that. All I'm
2	Q. Do you recognize the female voice?	2 saying is -- all I'm saying is -- all I'm
3	A. It's my mom.	3 saying is, yeah, he going to get that. I just
4	MS. GOO: Go to 15:40.	4 now told you. He ain't going to give nothing
5	MR. GRUEN: 1530.	5 without getting something. So, yeah, he going
6	MS. GOO: Thank you.	6 to get the five, he going to get that. That's
7	AUDIO: What's going on. What's going on.	7 the affidavit thing. He going to get that,
8	(inaudible). All right. Maybe you can tell	8 yeah.
9	(inaudible) plan can't do it correctly then	9 MS. GOO: Stop there.
10	(inaudible). Two more hundred dollars, give	10 Q. So is it accurate that you said "listen,
11	him 500 (inaudible) go to court. Five and do a	11 am, you don't have to keep going to money and all
12	affidavit for five and go to court.	12 that, all I'm saying is, yeah, going to get that, I
13	MS. GOO: Stop there a second.	13 just done told you he ain't going to do nothing
14	Q. So is it an accurate representation of the	14 without getting something, so, yeah. He going to
15	recording that you said "all right, maybe you can	15 get the five, he going to get that, at the affidavit
16	tell him the plan. If you can't do it correctly,	16 thing yeah, he going to get that." Is that
17	don't even try." Then she says "get two more	17 accurate?
18	hundred dollars and \$500 and he get the five when he	18 A. That's accurate.
19	go to court. He get five when he do the affidavit,	19 Q. So you were saying Myron was going to get
20	five when he go to court." Is that an accurate	20 paid after doing the affidavit at that point during
21	representation --	21 the phone call, right?
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1	A. That's what was said.	1 A. That's what was said.
2	Q. -- of the recording. And this was a	2 Q. So Mr. Brockington, was he ever paid?
3	discussion about who?	3 A. No. No. Actually my understanding, my
4	A. That was the discussion about Myron.	4 understanding that the private investigator
5	Q. Okay. Keep going further, please.	5 convinced him otherwise and that was his money.
6	AUDIO: You got to realize, I mean I was	6 Q. So you said that the private investigator
7	thinking about it like this, right. That	7 convinced him otherwise.
8	nigger said he wanted to be compensated. He	8 A. That -- go ahead.
9	never really say what -- what, you know, the	9 Q. Was Mr. Brockington ever told that he was
10	(inaudible) would have been like that, do you	10 going to get paid?
11	understand what I'm saying.	11 A. He asked to be paid.
12	MS. GOO: Stop there for a second.	12 Q. He asked. And in response was he ever
13	Q. So is it accurate that you said "you got	13 told that he was going to get paid?
14	to realize I was thinking about it like this, that	14 MR. BALLENGER: By who?
15	nigger said that he wanted to be compensated. He	15 Q. By anybody on your behalf?
16	never really say what." Is that what was said?	16 A. I don't recall.
17	A. That's what was said.	17 Q. So it's possible that somebody said,
18	Q. If we go to 17:45, please.	18 "yeah, you will get paid"?
19	MR. GRUEN: 1740.	19 A. What, it's possible that somebody may have
20	AUDIO: Don't get (inaudible) until after	20 agreed to that?
21	he do the affidavit and stuff, right. Listen,	21 Q. That somebody said to him that?

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1 A. I don't know.	1 What's up. Not much (inaudible). Huh.
2 Q. So is it possible that your mother said to	2 MS. GOO: Stop there for a second.
3 him, "yeah, you'll get payment"?	3 Q. Is that Dina on the phone?
4 A. There is a possibility that somebody	4 A. That's her.
5 probably said that to him.	5 Q. And who is -- just for the record, who is
6 Q. Is it possible that Wolfe said that to	6 Dina in your life?
7 him, that he would have gotten payment?	7 A. I mean we don't talk any more.
8 A. I don't think it's possible that -- Wolfe	8 Q. Was she a girlfriend of yours at some
9 was always against it anyway.	9 point?
10 Q. Why was Wolfe against it?	10 A. At some point.
11 A. Because he said that -- he said that the	11 Q. Okay. Go to 15:24. And back in 2016 what
12 truth is the truth, you shouldn't be paying him to	12 was your relationship with her?
13 tell what the truth is.	13 A. I just said it.
14 Q. Okay. Are you aware of any type of	14 Q. Were you in a relationship in 2016?
15 compensation, anything that Mr. Brockington got in	15 A. I mean as much as a person in prison can
16 exchange for the affidavit?	16 be in a relationship.
17 A. No.	17 Q. Was she somebody you considered to be
18 MS. GOO: I think we're going to take a	18 close to you?
19 five minute break now.	19 A. Yes.
20 MR. BALLENGER: Sure.	20 MR. GRUEN: 15:23.
21 VIDEOGRAPHER: We are going off the	21 MS. GOO: All right.
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1 record. The time is 4:06 p.m.	1 AUDIO: (inaudible) tell this shit, get
2 (Off the record colloquy.)	2 paid. He basically want to charge me for the
3 VIDEOGRAPHER: We are back on the record.	3 truth. (inaudible) agree to what (inaudible) I
4 The time is 4:22 p.m. This is media number	4 don't know what the fuck is going on with that.
5 six.	5 MS. GOO: Stop there for a second.
6 Q. Thank you. We're going to go to a call	6 Q. So you said "him and Tyreke agreed to some
7 dated May 19, 2016. It is D4C147 to phone number	7 shit about because this nigger want to get paid. He
8 (410) 812-7500. And Mr. Thomas, I believe you	8 basically want to charge me for the truth. Yeah,
9 already testified that that's a number for Dina	9 they agreed to some type of ransom or something."
10 Thomas?	10 Is that what was said?
11 A. 7500?	11 A. That's what was said, yes.
12 Q. Yes.	12 MS. GOO: If you go to 16:07.
13 A. No. That's my mother's number. Hold up.	13 MR. GRUEN: 1601.
14 7500. What's the first four digits?	14 AUDIO: That's where we at. That's where
15 Q. (410) 812-7500?	15 we at. And I mean they do a video confirmation
16 A. Yeah, yeah, I believe that's Dina.	16 (inaudible) after everything is handled. I
17 Q. That's Dina. Okay. If we could play just	17 don't know what's happening. You're the first
18 Dina's part of the call.	18 person I called since I talked to Myron last
19 AUDIO: This call will be recorded. If	19 night. I just had to give you this news. I'm
20 you wish to (inaudible) future calls of this	20 coming home, yeah. It's about to go down
21 nature, dial. Good morning. Good morning.	21 (inaudible).

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1 MS. GOO: Pause for a second.	1 nothing without getting something so, yeah. He
2 Q. Sorry, we're going to switch phone calls	2 going to get the five, he going to get that. At the
3 now. So if we go to June 30th, 2016. And this is	3 affidavit thing, yeah, he going to get that." Is
4 call number D4C184. And this is to phone number	4 that what you said?
5 (240) 217-8599. And you testified previously that	5 A. That's what I said.
6 this 8599 number is your mother's, correct?	6 Q. So you said that, and you were talking
7 A. That's right.	7 about Myron Brockington, correct?
8 Q. If you could play the introduction part of	8 A. I was.
9 the call.	9 Q. And you were saying at that point, yeah,
10 AUDIO: Hello. You have a prepaid call.	10 he was going to get paid, right?
11 You will not be charged for this call. This	11 A. That's what he wanted to do, yeah.
12 call is from Melvin, an inmate at a Maryland	12 Q. I'm sorry.
13 correctional facility. This call will be	13 A. That's what he was asking.
14 recorded and monitored. If you wish to block	14 Q. But you were telling your mother that he
15 any future calls of this nature, dial seven	15 was going to get paid in this phone call, correct?
16 now. To accept this call, press. Hello.	16 A. That's what I said, yeah.
17 What's up. Nothing.	17 Q. Did you -- I know you mentioned previously
18 MS. GOO: Stop there.	18 you had a difficult time getting in touch with Wolfe
19 Q. So this is a phone call with your mom?	19 at times when you were trying to contact him about
20 A. Yes.	20 the case; is that right?
21 Q. If we can go to 17:50, please.	21 A. Yes.
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1 MR. GRUEN: At 17:40.	1 Q. But there were occasions in which you were
2 AUDIO: Get no money -- he ain't get no	2 able to three-way call him so you could talk to him
3 money until after he do the affidavit stuff,	3 and ask him questions about the case; is that right?
4 right. Listen, ma, you ain't got to keep on	4 A. I'm sure.
5 going about money and all that, talking like	5 MS. GOO: If we could go to July 15th,
6 that. All I'm saying -- all I'm saying is --	6 2016. It's called D4C194 to phone number
7 all I'm saying is, yeah, he going to get that.	7 (240)217-8599.
8 I just (inaudible) told you he ain't going to	8 Q. And 8599 is your mother's number.
9 give nothing without getting something. So,	9 A. Yes.
10 yeah, he going to get the five. He going to	10 Q. Okay. And if you could just play from,
11 get that. That's the affidavit thing. He	11 let's go to minute marker 1:30.
12 going to get that, yeah.	12 MR. GRUEN: This is at 1:26.
13 MS. GOO: Pause there.	13 AUDIO: Tell him all (inaudible) I got
14 Q. So is it -- did your mom say "he don't get	14 five more minutes. I need two minutes of his
15 no money until he do the affidavit and stuff",	15 time. Two minutes. Hello. All right, I'm
16 right?	16 dialing. Shit, man. Only need two minutes of
17 A. That's what she said.	17 his time. (inaudible) Going to ask, I want to
18 Q. And did you then say "listen, ma, you	18 know what the fuck is up with all the
19 don't have to keep going to money and all that. All	19 questions, man.
20 I'm saying is, all I'm saying is, yeah, going to get	20 MS. GOO: Pause there.
21 that, that I just done told you he ain't going to do	21 Q. So you were asking your mother to call

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<p>1 Wolfe for you at this point because you had 2 questions for him? 3 A. Yes. 4 MS. GOO: And if we go to 3:43. 5 MR. GRUEN: 3:35. 6 AUDIO: Hello. Yeah, you still on the 7 phone. Yeah, I'm right here. What's going on. 8 Ain't nobody -- like I don't know why Darnel 9 and them ain't call you, but when she talked to 10 me the other day she want to tell me that the 11 shit you -- you can't see it really basically 12 on the video, it was very blurry, my mom 13 already told me (inaudible) about it, 14 (inaudible) cool. But then she said she can 15 hear it and I know what you told me and I was 16 like, all right, man, thank you. (inaudible) 17 talk on that day you said you did it, you told 18 me (inaudible) that you asked all of my 19 questions. Yes. 20 MS. GOO: Pause that for a second. 21 Q. So you're on the call with Wolfe at this</p>	<p>1 with seeing the video? 2 A. According to what I said. 3 MS. GOO: Could you hit play. 4 AUDIO: Say that every time (inaudible) 5 only three minutes. I don't see how you asked 6 all those questions in three minutes and got 7 answers from him. (inaudible) questions. 8 Unless they got a short version of what you 9 asked. I know what you told me. And ain't 10 nobody really can't give me no clear answers so 11 that's why I'm coming back to you. I mean 12 (inaudible) about the video. So you know. Well, like I told your mother, (inaudible) and get with Donna. I'll get with Tyreke. I got all the videos on my phone. It's like five 15 different videos, man. Right. So. Why is it 16 five different ones, can you explain that to 17 me. Because I had to use my phone and 18 (inaudible) phone it (inaudible) let's you record or cut off and stop recording and that's 19 why. And in that time, in that time we 21</p>
<p>1 point, right? 2 A. That's right. 3 Q. And are the two of you discussing the 4 Myron Brockington video? 5 A. Yeah. 6 Q. Okay. And they were having some 7 difficulty seeing the video? 8 A. That's -- that's what I said. 9 Q. Okay. And that's what either Donna or 10 your mom told you about the video? 11 A. That's what I said. 12 Q. Why did you say that to him? 13 A. I don't recall that. 14 Q. But is it accurate that you said but 15 then -- I'm sorry, hold on. Is it accurate you said 16 "I don't know why Donna and them ain't call you but 17 when she talked to me the other day she going to 18 tell me that you can't really see it basically the 19 video, it was very blurry. My mom already told me 20 what you said about that, it's clear on your end. 21 Cool." So did Donna tell you that she had issues</p>	<p>1 (inaudible) on it. I heard about that, I heard 2 about that. Well, he said he checked it before 3 he gave it to you it's fine, right. I don't 4 know what happened, man. That was crazy. That 5 was unfortunate. So you said that yours is 6 clear, and you said that you did get a chance 7 to ask all my questions. Because that's what 8 you told me, right. Yes, Melvin. Yes, Melvin 9 Thomas, I asked all of your questions. That's 10 why I said I'm trying to get you (inaudible) 11 see if I can get it on a flash drive or 12 something so I can get it to your people 13 because what I have is clear. 14 MS. GOO: You can stop it. Thank you. 15 AUDIO: Here we go. 16 Q. So Mr. Thomas, you were having an 17 extensive discussion with -- a discussion with 18 Mr. Wolfe about trying to get a copy of this video, 19 correct? 20 A. That's what I said. 21 Q. And you were -- I guess he said that he</p>

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1 was going to try to get it to you on a flash drive	1 A. I don't.
2 so you can get it to your people; is that right?	2 Q. Okay. And this was something that
3 A. That's what was said, yes.	3 Mr. Wolfe assisted you with?
4 Q. Why was it important for you to get a copy	4 A. Yes. It wasn't just him there though.
5 of this video?	5 Q. It wasn't just --
6 A. I don't know. I mean I guess I wanted to	6 A. Yes.
7 hear what the video was about. I guess at that	7 Q. So you said it wasn't just him there.
8 time.	8 What do you mean by that?
9 Q. I mean what Mr. Brockington said to Wolfe,	9 A. I was speaking, sorry -- I answered your
10 was that important to you?	10 question.
11 A. It's my case.	11 Q. I'm asking a follow-up question now. So
12 Q. That is a yes or no question?	12 who was present when the affidavit was signed?
13 A. Everything is important to me about my	13 A. Law students.
14 case.	14 Q. Law students?
15 Q. Okay. Did you ever get a transcript of	15 A. And a notarizer, I believe. There was
16 the interview that was done by Mr. Brockington by	16 three people there.
17 Mr. Wolfe?	17 Q. So there was a notary there to sign off on
18 A. No.	18 this?
19 Q. And did you get a report from Mr. Wolfe of	19 A. Yeah.
20 that video statement that he took?	20 Q. And you said law students?
21 A. No.	21 A. Yeah, some people that he used to -- so
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1 Q. Okay. And you did eventually obtain an	1 it's just not him -- when he answering questions,
2 affidavit from Mr. -- sorry, Mr. Myron Brockington?	2 it's not just him hearing the answers.
3 A. Yes.	3 Q. So witnesses?
4 Q. And that was in -- when was that?	4 A. Yes.
5 A. I don't know.	5 Q. Okay.
6 Q. Was in December of 2018?	6 A. Legal witnesses of some sort.
7 A. I don't know.	7 Q. And this was done with Mr. Wolfe?
8 Q. Okay.	8 A. Yes.
9 (Deposition Exhibit 14 marked.)	9 Q. Okay. Do you know if this was done in an
10 MS. GOO: Counsel.	10 attorney's office or was this in Mr. Wolfe's office?
11 Q. And is that the affidavit that Mr. Myron	11 A. I don't know.
12 Brockington did for you?	12 Q. Okay. Do you know if Mr. Bivricki was
13 A. That's what it looks like. That's what it	13 present for this?
14 looks like.	14 A. I don't think so. I don't know.
15 Q. Sorry. And have you seen this document	15 Q. Okay.
16 before?	16 A. No, not for this.
17 A. Yes.	17 Q. Okay. So there were two affidavits that
18 Q. Okay. And this was signed on December 4th	18 were completed by Mr. Brockington?
19 of 2018?	19 A. I don't think so, no. I don't recall.
20 A. That's what it say.	20 Q. Okay. So if you could pull Exhibit 2 in
21 Q. Do you know where it was signed?	21 front of you. You have the stack there.

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1	MR. BALLENGER: What's Exhibit 2?	1 Wolfe and a notary and some other witnesses. Do you
2	MS. GOO: The answers to interrogatories.	2 recall that?
3	MR. BALLENGER: Is this my copy?	3 A. I guess I was -- I was misthinking. I was
4	MR. RIPKE: Can we take a break before you	4 talking about the video. I was thinking about the
5	pose the next question.	5 video.
6	MS. GOO: Sure.	6 Q. Okay.
7	VIDEOGRAPHER: We're going off the record.	7 A. Yeah.
8	The time is 4:40 p.m.	8 Q. Was there another affidavit that you
9	(Off the record colloquy.)	9 obtained from Mr. Brockington through Wolfe before
10	VIDEOGRAPHER: We're back on the record.	10 the signed affidavit with Mr. Ripke?
11	The time is 4:47 p.m.	11 A. No.
12	MR. BALLENGER: I just wanted to put on	12 Q. So I just want to be clear about this.
13	the record I just cleared up with Mr. Booth	13 There is -- okay. I just want to know what there
14	over here. This affidavit right here was	14 was from Mr. -- as to Mr. Wolfe, there were notes
15	signed by Mr. Brockington with Mr. Booth.	15 that you have related to his conversations with
16	Mr. Booth worked with Mr. Brockington to get	16 Mr. Brockington; is that right?
17	this particular affidavit. So I'm just putting	17 MR. BALLENGER: Whose notes?
18	that on the record because it doesn't seem like	18 MS. GOO: Sorry. So Mr. Wolfe's notes
19	we should -- I mean you can keep asking more	19 that he took from a conversation that he had
20	questions but I just want to clear up this	20 with Mr. Brockington.
21	affidavit.	21 Q. Do you have those notes?
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1	MS. GOO: So for this purpose, so	1 A. Do I have notes?
2	interrogatory 19, your answer says that -- the	2 Q. Or his report.
3	question to you was "identify each and every	3 A. I don't -- I can't recall that.
4	person who was present at the signing of the	4 Q. Is there some type of written product that
5	affidavit of Myron Brockington dated	5 you received from Mr. Wolfe documenting his
6	December 4th, 2018", which is Exhibit 14. And	6 interviews with Mr. Brockington?
7	it says that -- there is some language at the	7 A. I never got the interview from
8	beginning that says "notwithstanding the	8 Mr. Brockington.
9	objection. Booth Ripke, an attorney for	9 Q. Okay. As a part of his investigation,
10	plaintiff, was present when the affidavit was	10 Mr. Wolfe also spoke with the owner of Sally's, a
11	signed." So is this that affidavit that was	11 woman you say -- you know her as just Sally. Do you
12	signed on December 4th, 2018 with Mr. Ripke?	12 recall that?
13	MR. NATHANS: He wasn't there --	13 A. Yes.
14	MS. GOO: I understand.	14 Q. And you stated that there were, correct me
15	MR. RIPKE: Okay. I was in the room. And	15 if I'm wrong, that you have a report from Mr. Wolfe
16	I worked with him to write the affidavit. So	16 with information about that entity; is that correct?
17	he can -- he'll answer whatever you're going to	17 A. I believe so, yes.
18	ask him, but he wasn't present.	18 Q. Okay. And is there any reason why you
19	MS. GOO: Okay.	19 wouldn't be able to produce that to us?
20	Q. Are you aware -- so you described about --	20 A. Because I know I seen it but I have not
21	you described an affidavit that was signed involving	21 physically like seen it since I've been looking

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1 through my papers. But I know it exists. I can do 2 another do-over or, you know. 3 Q. So if we ask you to look for it, you 4 could -- through your attorneys obviously, that's 5 something that could be looked for? 6 A. That's something that could be looked for. 7 Q. Okay. I'm looking through my notes. And, 8 again, correct me if I'm wrong, but I believe you 9 testified that there was some type of report, this 10 is not a statement, but a report that was prepared 11 by Wolfe when he did some type of interview or 12 investigation with Myron Brockington in the 13 beginning stages of his investigation. And that's 14 something that you do have in your possession as 15 well; is that correct? 16 A. A report? 17 Q. A report or some type of memorandum 18 documenting his conversation with Myron Brockington? 19 A. I don't recall. 20 Q. Okay. Do you recall whether such a report 21 existed?	1 A. What you mean knowledge about the matter? 2 Q. Because it says to identify "all persons 3 who are likely to have personal knowledge of any 4 fact alleged in the pleadings and state the subject 5 matter of the personal knowledge possessed by such 6 person." So my question is is there a reason why 7 you did not include Anthony Wilson in this? 8 A. Because he wasn't part of the case. He 9 was a hired person. What I'm assuming. Maybe I 10 didn't understand the question. 11 MR. BALLENGER: And I'll just interject. 12 To the extent that we didn't disclose it, that 13 would be on us. I mean I may have looked at 14 that and not known about it or overlooked it, 15 so... 16 MS. GOO: I have no further questions. 17 MR. BALLENGER: Just give me a couple 18 minutes with my co-counsel. 19 VIDEOGRAPHER: We're going off the record. 20 The time is 4:54 p.m. 21 (Off the record.)
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1 A. I don't. 2 Q. Okay. Other than the statement from 3 Sally, are there any other documents that were 4 prepared for you by Wolfe as a part of the 5 investigation that you still have in your 6 possession? 7 A. No. Not that I recall. 8 Q. So in the answers to interrogatories, 9 interrogatory number one says to "identify all 10 persons likely to have personal knowledge of any 11 fact alleged in the pleadings and state the subject 12 matter of the personal knowledge possessed by such 13 person." And that's on page two of the answers to 14 interrogatories in Exhibit 2. Now, you list a 15 number of names, Nina Wilson, Alease Turner, Dewey 16 Morgan, Donte Lyle and Myron Brockington. Is there 17 a reason why you did not mention Anthony Wilson, the 18 private investigator, Wolfe, as a person who had 19 knowledge about this matter. 20 A. He didn't have knowledge about the matter. 21 Q. Sorry.	1 VIDEOGRAPHER: We are back on the record. 2 The time is 4:56 p.m. 3 MR. BALLENGER: I don't have anything 4 further and we will read and sign. 5 VIDEOGRAPHER: This marks the end of the 6 deposition. We're going off the record. The 7 time is 4:56 p.m. 8 COURT REPORTER: Matt, you want a copy of 9 the transcript? 10 MR. BALLENGER: No. 11 (Deposition concluded at 4:56 p.m.) 12 13 14 15 16 17 18 19 20 21

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1	Certificate of Deponent	STATE OF MARYLAND
2	I hereby certify that I have read and examined	I, David Corbin, a Notary Public in and
3	the foregoing transcript, and the same is a true	for the State of Maryland, do hereby certify
4	and accurate record of the testimony given by me.	that the within named, MELVIN THOMAS,
5	Any additions or corrections that I feel are	personally appeared before me at the time and
6	necessary, I will attach on a separate sheet of	place herein set according to law, was
7	paper to the original transcript.	interrogated by counsel.
8		
9		
10	Melvin Thomas	DATE
11		
12		
13		
14		
15		
16		
17		
18		
19	(If needed, make additional copies of the Errata	I further certify that the examination was
20	Sheet on the next page or use a blank piece of	recorded stenographically by me and then
21	paper.)	transcribed from my stenographic notes to the
		within printed matter by means of
		computer-assisted transcription in a true and
		accurate manner.
		I further certify that the stipulations
		contained herein were entered into by counsel
		in my presence.
		I further certify that I am not of counsel
		to any of the parties, not an employee of
		counsel, nor related to any of the parties, nor
		in any way interested in the outcome of this
		action.
		AS WITNESS my hand and Notarial Seal this
		25th day of August, 2025, at Centerville,
		Maryland.
		
		Notary Public
		My commission expires November 13, 2027
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1	ERRATA SHEET	
2	Case: _____	1 Matt Ballenger, Esq.
3	Witness: _____ Date: _____	2 mballenger@br-lawyer.com
4	PAGE/LINE SHOULD READ	3 August 25, 2025
5	REASON FOR CHANGE	4 RE: Melvin Thomas v. George Vigue, Et Al
6	_____	5 8/11/2025, Melvin Thomas (#7478075)
7	_____	6 The above-referenced transcript is available for
8	_____	7 review.
9	_____	8 Within the applicable timeframe, the witness should
10	_____	9 read the testimony to verify its accuracy. If there are
11	_____	10 any changes, the witness should note those with the
12	_____	11 reason, on the attached Errata Sheet.
13	_____	12 The witness should sign the Acknowledgment of
14	_____	13 Deponent and Errata and return to the deposing attorney.
15	_____	14 Copies should be sent to all counsel, and to Veritext at
16	_____	15 cs-midatlantic@veritext.com.
17	_____	16 Return completed errata within 30 days from
18	_____	17 receipt of testimony.
19	_____	18 If the witness fails to do so within the time
20	_____	19 allotted, the transcript may be used as if signed.
	7478075	20 Yours,
		21 Veritext Legal Solutions

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[yeah - zoom]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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